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Alabama

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Three Charged With Improper Conduct By Body

Sheriff McDowell Criticized On Two Points In Hot Report

BY EDWIN STRICKLAND
News Staff Writer

A Grand Jury probe of County Jail conditions was climaxed Saturday with the indictment of a former warden on charges of rape and a recommendation that three other wardens be discharged.

After returning a rape indictment against Thomas Eugene Johnson, 38, the Grand Jury recommended to Sheriff Holt A. McDowell that Chief Warden Tom Sims be discharged, along with Deputy Wardens Robert F. McDonald and O. E. Kinney.

Recommendation was also made that Warden T. C. Peveler be reprimanded and suspended for 30 days.

PEVELER

The charges against Johnson were made by Miss Dorothy Rotenberry, 21, ex-Wac and former inmate of the jail. Miss Rotenberry also swore out a bastardy warrant against Johnson.

* * *

SHE CHARGED THAT Johnson attacked her while she was serving

SIMS

McDONALD

a three-months' sentence in the jail on a charge of passing worthless checks.

Reporting to Circuit Judge George Lewis Bailes on results of its six-day session, the Grand Jury criticized Sheriff McDowell on only two points. The report said McDowell "has not exercised sufficient personal supervision with reference to operation of the jail by Chief Warden Sims."

The body also said McDowell was "dilatory in removing Dietitian T. E. Johnson in that this man's conduct was investigated by Sheriff McDowell on Dec. 21, 1947, and he was not relieved of his duties until Jan. 8, 1948."

Sheriff McDowell had previously stated that Johnson was allowed to resign for bringing whisky into the jail.

The Grand Jury found that Wardens Sims and Kinney had "made improper advances to women visitors in the jail." They quoted witnesses as saying Sims "told vulgar, dirty jokes in the presence of women inmates, and on one occasion placed his hand on the hip of a woman inmate."

Kinney was charged with making improper advances to Mrs. C. A. Traylor, a visitor in the jail.

Mrs. Traylor was one of a group of women who appeared before the County Commission last week to demand matrons for the jail.

THE GRAND JURY ALSO SAID Kinney had been accused by Miss Rotenberry of making "profane and abusive remarks and threats of violence on her person."

Miss Rotenberry testified this occurred on the date of her release from jail on Jan. 20, 1948.

The discharge of McDonald was asked on grounds he had been observed in the jail on one or more occasions "under the influence of some intoxicant or drug."

The body also charged McDonald was unfamiliar with rules and regulations governing operation and conduct of the jail.

Peveler's suspension was asked "for neglect of duty in failing to report to his superior officer the misconduct of a fellow officer whom he observed remove a female prisoner from a cell block."

* * *

IN ADDITION, the body recommended all other wardens in the jail on Jan. 8, 1948, be assigned to outside duty "without prejudice."

The jury recommended that a "complete, permanent record, including disposition of same, be made of all complaints received by the sheriff's office."

With the two exceptions listed, the report stated that Sheriff McDowell "has conducted his office in a satisfactory manner."

The food, sanitary facilities and the general condition of the jail were called excellent by the report.

Another recommendation made was that all intoxicants, drugs, narcotics or other contraband articles confiscated from prisoners or visitors to the jail by the inside warden's office be returned downstairs and locked. These articles should not be available to any person other than the sheriff or the outside warden on duty, the report said.

They recommended full time matrons be assigned to the jail to handle all female prisoners.

Sheriff McDowell said this has already been done. Mrs. Ann Thompson, one of two matrons allowed by recent action of the commission, assumed her duties Friday. A second matron will be appointed shortly, he said.

The report stated the body was well aware that all persons whose positions are affected have full right of appeal and hearing before the Civil Service Board.

The Grand Jury returned 130 true bills and 12 no bills.

* * *

AN INDICTMENT charging murder was returned against Mrs. Dorothy Fitzhugh, 21, charged with the strangulation-slaying of her 3-year-old son.

The slaying occurred on the night of Jan. 12 while the child was asleep in its crib at the Fitzhugh home in Vinesville.

Don Vestal, 23, business agent for the International Brotherhood of Teamsters, Chauffeurs, Warehousemen and Helpers of America, was indicted on charges of assault with intent to murder.

Vestal was one of several men charged in the shooting of a non-striking milk truck driver for White Dairy. The shooting occurred several weeks ago during labor difficulties at the dairy.

Foreman of the Grand Jury is Fred C. Hahn, of the Hahn Roofing & Heating Company.

Homewood Matron Reports Being Forced From Cab, Assaulted

Man, 28, Is In Jail After Alleged Attack Near Spaulding Mines

A 44-year-old Homewood matron complained to police today she was raped last night by a 28-year-old man. He was being held at City Jail for investigation.

The matron told police she went into a cafe for a soft drink. She said a man followed her inside and began a conversation. She accepted his offer of a ride home in a taxi, she said.

He whispered something to the cab driver, the woman told officers. The driver took them to an isolated spot near Spaulding Mines where her escort forced her from the cab, she charged.

The cab driver reported voluntarily to police headquarters. He said a man forced a woman out of his taxi near Spaulding Mines.

A physician, who examined the woman, said "it was highly probable" she had been raped.

The matron's face was scratched and her coat and stockings torn, police said.

Detectives Murray Hancock and W. Henson are investigating.

County Jurors To Study Women Prisoners Lot

Investigations Will Take In Rape Charge Against Ex-Warden

Charges of ill-treatment of women prisoners in County Jail will be investigated by the Jefferson County Grand Jury Tuesday, Solicitor Emmett Perry announced Saturday.

The announcement climaxed a day of startling developments, in which a former inmate of the jail, Miss Dorothy Rotenberry, 21, of Mississippi, swore out warrants charging rape and bastardy against Eugene Lee Johnson, 38, of Sandusky. Johnson is a former warden in the jail.

Immediately after Johnson was arrested and lodged in County Jail, Sheriff Holt A. McDowell said he would ask the Grand Jury to investigate the girl's charges and also conditions at the jail in general.

Bond in the bastardy case was set at $1,000. No bond is allowable for the rape charge.

Johnson, former dietitian with the rating of warden at the jail, has made no comment thus far on the charges, deputy sheriffs said.

* * *

MISS ROTENBERRY, a former Wac who served six months in the Army, is staying at the home of Mrs. D. W. Traylor, 6508 First Avenue, South.

Saturday afternoon, Miss Rotenberry, a comely, medium-sized girl with reddish-brown hair, said she would make no further statements without consent of her attorney, Tom Skinner.

Mrs. Traylor said she and her daughter-in-law, Mrs. C. A. Traylor, and "friends" befriended Miss Rotenberry and are taking care of her.

"We are doing this in an effort to rid the jail of an evil condition," Mrs. Traylor said. "She's just an unfortunate girl who needs help."

Miss Rotenberry said her home was "in Mississippi," that she came to Birmingham in October to attend a business school under the GI bill of rights after being released from the Veterans Hospital at Tuscaloosa.

* * *

SHE SAID SHE CAME here on the advice of the vocational advisers at the Veterans Hospital.

She was arrested and placed in County Jail the latter part of October for issuing worthless checks. She was released Jan. 20 after serving her sentence.

Solicitor Perry said he had received information that a local physician had examined Miss Rotenberry. The solicitor said he intended talking with the doctor about the girl's condition.

Doomed Youth Said Victim Of Extorted Writ

WASHINGTON, D. C.—(NNPA)—Attorneys for the National Association for the Advancement of Colored People last Wednesday asked the United States Supreme Court to review the conviction of Samuel Taylor, an ignorant youth who is awaiting execution in the Alabama State Penitentiary for the alleged rape of a white woman at Pritchard, Alabama.

The petition for review alleges that Taylor was convicted in the Circuit Court of Mobile County, Alabama, November 19, 1946, primarily upon an extorted confession. His conviction was affirmed by the Alabama Supreme Court on April 24, 1947.

On September 18, 1947, attorneys for Taylor filed in the Alabama Supreme Court a petition for a writ of error, together with supporting affidavits, alleging that the confession was extorted by force and violence and that Taylor was ignorant of his rights and did not inform his lawyers until after the Alabama Supreme Court had upheld his conviction how the confession had been obtained.

The Alabama Supreme Court, by a divided court, denied the petition for writ of error on November 26, 1947. It is this judgment that attorneys for Taylor ask the United States Supreme Court to review.

Duress Used

The trial record, filed with the petition for review, shows that Taylor and three other youths were arrested by police in Prichard, near midnight, June 29, 1946. They were taken to the city jail, where officers, through third-degree methods sought to compel them to confess to a robbery.

After the first ordeal, the other three youths were kept in jail for several days without further molestation. Taylor, however, was continuously beaten and mistreated by police for a period of four consecutive nights to force him to confess to an alleged rape the police accused him of having committed.

"In great fear of his life, health and safety," the petition asserts, he finally confessed and was told at the time that if he mentioned that he had been beaten he would be beaten more severely.

A group of people were then brought into the jail and at 3:00 o'clock on the morning of July 3, 1946, the petition states, Taylor was coerced through fear to confess again in the presence of these people in a "staged, prearranged atmosphere."

Thurgood Marshall, of New York special counsel for the NAACP, and Nesbitt Elmore, a Mobile, Alabama, lawyer, are representing Taylor. Also on the petition are NAACP lawyers Edward R. Dudley and Franklin Williams.

SEEK NEW TRIAL FOR RAPE CHARGE VICTIM

3/5/48

New York, N. Y., March 4--In a last minute effort to save the life of 20-year-old Samuel Taylor, convicted of rape by an Alabama court, attorneys for the National Association for the Advancement of Colored People, on March 3, filed a petition with the Supreme Court of the United States, seeking a review of the judgment of the Alabama Supreme Court which confirmed the death sentence imposed by the Circuit Court of Mobile County.

Charging that the youth's conviction was obtained through the use of a confession extorted by force, violence and fear, in violation of the Fourteenth Amendment, the NAACP petition seeks a new trial free from fear. Pending the review of his case, Taylor has been granted a reprieve by Gov. James E. Folsom until April 23.

Arrested with three other Negro youths in the small town of Prichard, Alabama, nearly two years ago, Taylor was charged with the rape of a 14-year-old white school girl. Removed to the city jail, he was grilled, brutally beaten and otherwise mistreated by several police officers for a period of four consecutive nights, the petition alleges. His companions, charged with robbery, were similarly brutalized.

In fear of his life, Taylor confessed to the crime which the police accused him of having committed. Because of this fear, he failed to call to the attention of the attorney appointed to defend him the violent means by which the confession was extorted. He was convicted by the Alabama court on November 19, 1946.

The Negro was brought into court under heavy guard. He had been held in the Dallas County Jail at Selma.

The entire proceedings lasted only a few minutes, and Napier was taken to Kilby immediately after sentencing.

Napier was indicted by a Choctaw County Grand Jury on a charge he raped a 25-year-old widow in the Riderwood community three weeks ago.

Sheriff McCoy said the Negro was moved to the Selma Jail for safekeeping when a crowd began gathering after his arrest.

It is estimated that approximately 140 of the 1700 voters are Negroes

Accused Men Held In Jail Without Bond

Gets Life Sentence

BUTLER, Ala., March 12—(AP)—Slater Napier, 22, Negro, was scheduled to go on trial today on a charge of raping a young white woman. Instead, he is in Kilby State Prison under a life sentence.

Napier pleaded guilty to the charge Wednesday. Judge Joe M. Pelham, Jr., imposed the sentence. Sheriff A. I. McCoy said the trial was advanced "to prevent trouble."

Woman Attacked; Man, 24, Arrested

GADSDEN, Ala., April 14—Arrest of a man identified as George Melvin Glenn, 24, Alabama City, in connection with a reported assault upon a 32-year-old mother was announced today by Gadsden Police Chief Fay Boman.

Boman said Glenn was arrested today after the reported attack on Lookout Mountain early this morning.

Chief Boman said he would issue warrants charging Glenn with kidnaping and rape.

The police chief said the woman was attacked after the automobile in which she had been riding, stalled on a dirt road on Lookout Mountain.

The woman, according to Chief Boman, told police she was attacked after a male companion left her to go into Gadsden to get a wrecker when the car stalled. The woman told police four men came up and offered to help get the car started. One of the men then drove off in the car. The car become ditched, the woman told officers, and the assault followed.

Brighton Man Held For Attempted Rape

William Lee Eastis, 27, of 1227 Homer Street, Brighton, was in City Jail today on a warrant charging assault with intent to rape.

Detective Lt. C. L. Pierce said Eastis would be transferred to County Jail during the day.

Eastis is charged with entering the room of an elderly woman at 519½ North 18th Street the night of March 20 and with attempting to criminally assault her.

The woman, about 60, told police Eastis choked her, that she creamed and he fled when neighbors came to her rescue.

Eastis was picked up at a bus terminal the same night. He was later identified by the woman and neighbors as the world-be attacker.

At that time he was charged with assault and battery. The charge has been replaced by the warrant charging assault with intent to rape.

Two White Men Face Felony Charges

WETUMPKA, Ala., May 1—(AP)—Two white men, charged with raping two Negro women and robbing their husbands, are being held without bond for the Elmore County Grand Jury.

They were booked as John C. Howard, Jr., 30, and Jack Oliver, 20, both of Elmore County.

The men reportedly stopped a car in which the four Negroes were riding Saturday night, Sheriff Lester Holley said. The Negro men were robbed at gunpoint and chased off, Holley said. The women reported they were driven away and raped.

Negro Woman Raped By Alabama Whites

WETUMPKA, Ala.—Echoes of the Recy Taylor case went through the state this week when it became known that two young Negro women were taken from a car in which they and their husbands were driving and raped by two white men, near this small south Alabama community.

The two white attackers, John C. Howard, Jr., and Jack Oliver, are being held without bond in the Elmore County Jail.

According to reports here, Mr. Sam Grayson and his wife, Annie, and Mr. Willie Jackson and his wife, Malinda, and a friend were driving in their car about 9 p.m. on Saturday, April 23, when their car was stopped by another with two white men. They fired into the tires of the first car and forced the women to go with them at pistol point. They carried them away and raped and robbed them.

The two husbands walked into Wetumpka to the office of the county sheriff, and a white woman who had heard the shot called the highway patrol. The two men were found with the Negro women and arrested.

The defense counsel tried unsuccessfully to have the hearing before the judge delayed and tried to have the courtroom cleared of spectators. The judge supported the solicitor's demand for a public hearing.

Hold 2 White Men In Rape of Negro Woman

WETUMPKA, Ala. — (ANP) — Two white men, charged with rape of two colored women, waived preliminary hearing last week before Judge W. E. Strickland. They are now being held without bond in the Elmore County jail.

The accused are John O. Howard Jr., 30, and Jack Oliver, 30. They are being held on two counts, armed robbery and rape.

On the night of April 23, according to police, they stopped an automobile in which Sam Grayson Jr., 25, and his wife, Annie, 23; Willie L. Jackson and his wife, Malinda, and Charlie McCloud of Wetumpka were riding by firing into one of the tires.

Then the men are said to have forced the women from the car at gun point and to have taken them to the woods and raped and robbed them.

A white woman living on the highway near the scene, heard the shot and called the highway patrol. The three colored men walked to Wetumpka and reported the incident to Sheriff Lester L. Holley. The sheriff caught the white men with the women and arrested them.

Solicitor U. G. Jones. the prosecuting attorney, and Sheriff Holley both say they will prosecute this case in open and oppose all delays.

Whites Charged With Raping Girl, 12, Out On Bond

MOBILE, Ala.—Charged with raping a 12-year-old Negro girl, three Walker County white men were released on bond here last week by Circuit Court Judge Robert J. Wheeler.

The men, Roy Dotson. 41, Albert Pugh, 28, and Bobby Morgan, 17, were accused by the girl of raping her June 12. The child said that Dotson had come to her home and hired her to do maid service at a tourist camp and that each of them raped her at the place.

Dotson and Pugh were released on $5,000 bond each and Morgan's bond was fixed at $2,000. Bond was set after attorneys for the men filed habeas corpus petitions seeking their release.

Three Men Allowed Bond In Assault Case

Bond today has been allowed three Walker County white men charged with criminally attacking a 12-year-old Negro girl on June 12.

Circuit Judge Robert J. Wheeler set bonds of $5,000 each yesterday for Roy Dotson, 41, of Linns Park, and Albert Pugh, 28, Sumiton. A bond of $2,000 was set for the third defendant, Bobby Morgan, 17, of Sumiton.

The bail was set after Defense Attys. Roderick Beddow and Frederick V. Wells had filed habeas corpus petitions on behalf of the three defendants.

In preliminary hearing on June 22, the Negro girl testified she was criminally attacked by each of the three men. She said the attack occurred after Dotson had come to her home and hired her to do maid service at a tourist court in which he said he was interested.

No Bond Allowed In Child Attack Case

Earl C. Pritchard, 27, 2115 15th Avenue, South, was in jail today without bond on a charge of rape of a 5-year-old Irondale girl.

Pritchard was bound over to the Grand Jury yesterday by Judge G. C. Boner.

Defense Attys. Robert Gwin and G. Ernest Jones waived preliminary hearing in another case against Pritchard charging false pretense. Bond on this charge was set at $500.

A plea of not guilty was entered in the rape case. Atty. Gwin identified Pritchard as a Navy veteran and an official of the Central Alabama Lumber Company.

Woman Here Reports Attack By Motorist

Police today are investigating the reported criminal attack on a 26-year-old Central Park woman.

She told officers that a man drove by while she was waiting for a bus at 27th street and 33rd Avenue, North, and dragged her into his car.

She said he drove with her to a wooded section near Powderly and threatened her with death when she resisted him.

The incident occurred about 7:30 last night.

2 Men Indicted In Assault Case

WETUMPKA, ALA. — (AP) — Two white men have been indicted by the Elmore County Grand Jury on charges criminally assaulting two Negro women and robbing their husbands, Sheriff Lester Holley said Monday night.

The men, booked as John C. Howard, Jr., 30, and Jack Oliver, 20, both of Elmore County, are scheduled for trial in circuit court the week of Nov. 22.

At the same time the Grand Jury returned an indictment against Jim Free, 48, who was charged with carnal knowledge of a 13-year-old girl, Holley said.

Howard and Oliver were arrested last April, the sheriff said, on charges of assaulting Annie Grayson and Melinda Jackson, both about 25.

Holley gave this account of the charges:

The two white men reportedly stopped a car in which the Negro women and their husbands were riding. They forced the men from the car gunpoint, took their money, and chased them away by firing shots above their heads.

Holley quoted the Negro women as saying they were forced to get into a pickup truck and were taken away and assaulted.

Free was arrested last May after the young girl charged he had made advanced to her. The warrant for that arrest was sworn to by the girl's father.

Jail Two Whites Accused Of Rape, Armed Robbery

WETUMPKA, Ala.—Two white men, charged with rape of two colored women, waived preliminary hearing last week before Judge W. E. Strickland. They are now being held without bond in the Elmore County jail.

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On the night of April 23, according to police, they stopped an automobile in which Sam Grayson Jr., 25, and his wife, Annie, 23; Willie L. Jackson and his wife, Malinda, and Charlie McCloud of Wetumpka were riding by firing into one of the tires.

Then the men are said to have forced the women from the car at gun point and to have taken them to the woods and raped and robbed them.

A white woman living on the highway near the scene, heard the shot and called the highway patrol. The three colored men walked to Wetumpka and reported the incident to Sheriff Lester L. Holley. The sheriff caught the white men with the women and arrested them.

Solicitor U. G. Jones, the prosecuting attorney, and Sheriff Holley say they will prosecute this case in open and oppose all delays.

Two White Attackers Freed Of Raping Negro Mother Of Six

BY EMORY O. JACKSON

Tuscumbia, Ala.—(SNS)—The many spectators who had listened through two days of trial in which the 54-year-old mother of six children told the revolting story of how two white men raped her and used her against nature, were dazed, speechless, frozen with bitter surprise when Jury Foreman C. H. Stutts read the verdict, "We the Jury find the defendants not guilty."

Charles Berryhill, 29, and Herschel Gasque, 27, for two days—July 26-27 had been on trial in the Colbert County Court before Circuit Judge Robert M. Hill, charged with "rape" against Mrs. Mamie Farley Patters, 55, on Feb., 20.

Defense Attorney Jim Smith had built his case around the testimony of Eddie Simpson, an alleged friend

the raped mother. Simpson a Negro testified that the Mrs. Patterson had asked him to "try to take the case out of court." Mr. Smith sought to show that the mother had not been raped but had used the charge to cover up her husband's bootlegging when she found herself faced with the law.

He put on a string of character witnesses and in his summation of the case told a "sambo story" to charge that all Negroes will lie.

State Solicitor William Almon and County Solictor Pat Harris prosecuted the two white defendants. Strangely, they did not call to the witness stand a "Dr. Pierce" who was listed among the state witnesses and is said to have examined Mrs. Patterson following the alleged double rape.

Other state witnesses listed were W. C. Stanford, chief deputy sheriff; J. H. Riner, deputy sheriff; C. H. Persall, J. C. McDaniel, Lonnie Newton, Easter Gilton, Claude Wheeler, Velma Ruth Wheeler, Delmer Frederick and James Pattrson. Most of the prosecution witnesses were white. 5-3-45

Defense witnesses listed were Eddie Simpson, Jonas McClung, Homer Isbell, Rube Mitchell, Jesse Conts, Stanley Mitchell, Conrad Wheeler, Stanley Mitchel, W. P. White, Bud Kimbrough, W. E. Martin and Mrs. Red Brewer.

The jury was out about two hours and 40 minutes before returning with its not-guilty verdict.

Mr. Patterson, husband of the alleged rape victim charged that three of the members of the jury were known by him to be relatives of the accused men, but he did identify them by name. Mr. Patterson was said to be intimately acquainted with the two white men for whom it is said he had been employed.

Neither the Florence Times newspaper nor the Tri-City Daily saw fit to report the trial. The two papers had carried adequate stories on the arrest of Berryhill and Gasque. 5-3-45

When first arrested, Berryhill and Gasque were held without bond. Later they were released on $7,500 bail each after the preliminary when they were bound over to the Grand Jury, and subsequently indicted.

Two White Farmers Held in Attack on Grandmother

54-Year-Old Ala. Matron Says Moonshiners Beat Husband First, Assaulted Her Twice

TUSCOMBIA, Ala. (ANP) — Two gun-carrying white farmers were held without bond in the Colbert County jail, charged with the brutal criminal assault on Feb. 20, of a 54-year-old woman, the mother of six children and the grandmother of three.

In jail are Charles Berryhill, 29, a former professional wrestler, and Herschel Gasque, 27, both of whom were identified as moonshiners. It is believed that the woman's husband, James Patterson, owed the two men for whiskey purchased from them.

In a sworn statement, Mrs. Patterson, who is employed by a prominent white family, said that the two forced their way into her home and beat her husband with their guns until he fell unconscious to the floor.

Perversion Charged

Then clad in her night clothes and wrapped in her husband's coat, she said, she went out under gun cover to try to borrow the money. When she returned empty-handed, she continued, the two forced her into an automobile, attacked her and attempted to make her perform abnormal acts.

When she insisted that she could not, Mrs. Patterson said, they attacked her again. The car bogged in the mud when they attempted to drive into the woods, she stated, and she ran bare-footed to the home of some white neighbors while her attackers went for another car. 3-6-45

Her story was verified by Dr. William M. Pierce, who treated her. With sentiment against the pair running high in both races, vigorous prosecution is anticipated. About 2,000 of the 7,000 citizens here are colored.

Negress Attacked By White Man, She Testifies

WETUMPKA, Ala.—(AP)—A 22-year-old Negro woman testified in Circuit Court late yesterday that a white man criminally attacked her twice on the seat of a [illegible] truck after threatening her life.

Melinda Jackson was the witness. She charged that her attacker was John C. Howard, Jr., 30, of Elmore County.

Howard is one of two white men facing charges of assaulting Melinda and Annie Grayson after robbing their husbands. The other defendant is Jack Oliver, 22, also of this county.

The young Negro woman said Howard and Oliver forced their car off the road near here, fired a shot into one of the tires and chased off the Negro men who were with them. 12-3-45

She said they were with their husbands ad another Negro man, Charlie McCloud, at the time.

Melinda testified that she and the other Negro woman were forced to get into the white men's truck, and drove off with Annie sitting in Oliver's lap.

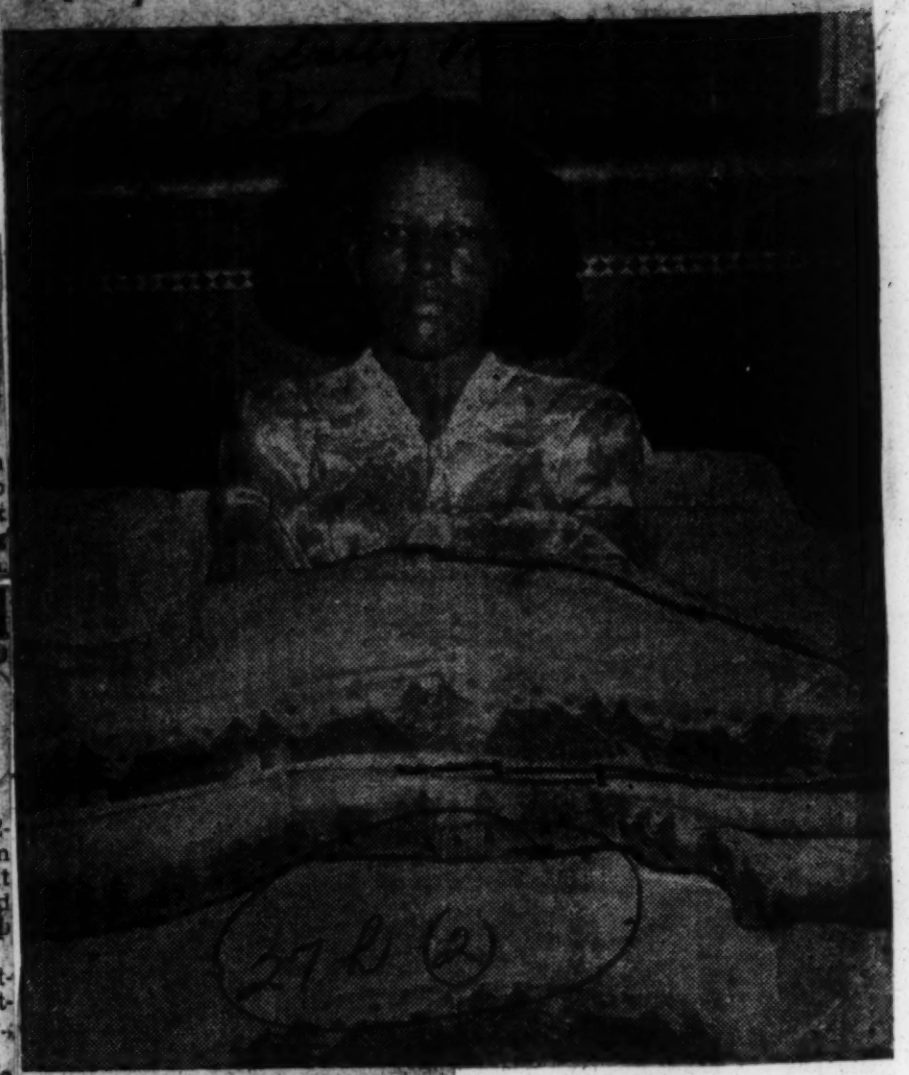
According to Sheriff Lester L. Holley, the two white men stopped a car in which the colored couples were riding. Pointing a gun at them, the whites forced the Negro men to get out of the car, took their money and chased them away with shots above their heads.

After the husbands had been chased, the sheriff said, the two women claim that the whites took them to a truck they were driving and forced them to submit to them.

Whites Indicted For Attack In Alabama

WETUMPKA, Ala. — (ANP) — Two white men were indicted by a grand jury here last week of attacking two Negro women and robbing their husbands. The two men, who will go on trial Nov. 22, are John C. Howard Jr., 30, and Jack Oliver, 20, both of Elmore county. 11-10-45

Rape Story Victim Has Bruised Eye



BIRMINGHAM, Ala. — (SNS) — Mrs. Mattie Lee Daniels (above) 27 of 316 Jefferson Blvd., Tarrant City, who charged that on Tuesday November 16 two white men criminally assaulted and robbed her on the edge of downtown Birmingham. Herschel Murphree and Euell Dollar, both 17, of Route 9 were arrested and placed in the County Jail without bond in connection with the charges. Mrs. Daniels, a beautician said that the two white youths took her money personals and underclothes after assaulting her behind shrubbery in a vacant lot near 22nd St. and Avenue North. 11-25-45

She is married and said that she has been living in Birmingham since March. Preliminary trial for the two youths is set for 2 p. m. Friday before Judge G. C. Boner.

Pulpit Echoes

By the Rev. A. S. Turnipseed

Elmore County Justice Given

On December 2, 1948, an all-white Jury in the Circuit Court of Elmore County, Alabama, found a white man, John C. Howard, Jr., 30, guilty of having raped on April 25, 1948, a Negro woman, Melinda Jackson, 22. The next day in the same court a white man, Jack Oliver, 21, plead guilty of raping a Negro woman, Annie Grayson, 23. Howard and Oliver are cousins. They were together when they simultaneously committed their crimes against these women. Each man was given forty-five years in the State penitentiary.

The way this case was handled by all concerned gives deep encouragement to responsible members of both races in Alabama and the South as they work for better race relations. In the first place the Press was restrained, objective, and factual in its presentation of the case in the news. Much credit is due Rex Thomas, of the Associated Press, who covered this trial. Also the cool-headiness of the all white Jury and the temper of the judge and lawyers should be commended by everyone.

The Church At Work

What produced this Elmore County example of high civilization is more important than the case itself. For many years the Christian Church has been at work in Elmore County with its gospel of love and justice to all. Juries are not independent of the community in which they try cases. In a large measure Juries are but judicial expressions of their communities. The Elmore County example of restraint is not accidental. In the past twenty years at least one Elmore County Christian preacher whom I know has been severely criticized for his belief that Christian ethics should be applied to race relations. Today that preacher and others like him should take great comfort in the Elmore County case.

This case proved that, though the immediate reaction of people to the Christian ethics may sometimes be adverse and unreasonable, the effect is registered in their minds, nevertheless. Such effects are built up over long years of consistent preaching and witnessing on the part of God's people and ministers. Then when an occasion like the Howard-Oliver affair arises the cumulative effect of all this Christian cultivation is potent. Against this Christian background these cases were tried in Elmore County.

The Recy Taylor Case

I am not harsh in my criticism of the way a similar case (the Recy Taylor case) was handled a few years ago in Henry County. I would have to go to Henry County and learn first hand the situation before I would finally make up my mind about the case. The Henry County Grand Jury refused to indict the alleged attackers of the Negro women, Recy Taylor. This refusal was made capitol of by the Communists in this country. The Recy Taylor case was fully exploited by them. I rejoice that the cool-headed Elmore County jury took the wind out of the Red sails.

The ugly reasons for racial amalgamation that has been going on in the South for a hundred years were suggested by what was brought out in the Elmore County trial. One Prosecuting Attorney observed that Negroes had made much progress since slavery but "they still got it in their minds to do what a white man tells them." He went on to say that Howard did not need a gun to accompolish the rape "because by their very nature Negroes fear white people."

Even Howard intimated that overt force was not necessary for a white man to rape a Negro woman. When asked if he "forcibly ravaged" the Negro woman he answered: "I don't know whether you call it forcibly or not. I didn't use force. The woman might have been frightened."

Forced Amalgamation

Without doubt some amalgamation in the South has taken place because white men overtly forced Negro women. In many more cases fear in the minds of the Negro women made and makes overt force unnecessary. Most of the amalgamation, however, has come because of concubinage. The disturbing truth is the great infiltration of white blood into the Negro race has taken place with most of the moral responsibility resting upon white men.

This whole sordid affair in Elmore County reveals another thoroughly rotten condition in our society. Our people are not spending more than $9,000,000,000 a year on alcoholic beverages without demoralizing and criminal effects. Howard and Oliver admitted that they were under the influence of whiskey. The most pathetic thing about the trial was what Howard's mother said. Standing the court room she declared: "God is going to help me to help you gentlemen keep down crime. A lot of young men's souls have been sent to hell by strong drink. God's going to help me and when I start I won't need anything but the jaw bone of an ass."

Who Is To Blame?

It is an over simplification just to blame the parents of Howard and Oliver for their crimes. There have been times when responsible parents have had irresponsible children. While we would hesitate to assess the blame of these parents, we do not hesitate to say that society does everything possible to induce young people to drink. Newspapers, magazines and radios encourage drinking by advertising. Many times responsible leaders in church, state, and schools allow this problem of alcohol to go by default. These forces are far from having arrived at any consensus as to what a positive approach to this problem would be. Too often they have evaded the problem.

These young cousins now convicted of a capital crime are not excused by saying that their conduct is due to the turbulent war years and post-war years in which they have grown into maturity. Surely war and its aftermath has its bearing. But it is cowardly for us to attribute all that is evil in our society to the mechanistic influences of environment. Rape has been committed in all kinds of environments as far back as when Amnon raped Tamar (II Samuel-13).

In writing this article my heart goes out to Howard and Oliver and to the women they raped. To these two criminals and their two victims, Jesus Christ the Saviour says: "Come unto me all ye that labor and are heavy laden and I will give you rest."

Assault Trial Set In Elmore County

WETUMPKA, Ala., Nov. 22 —(AP)—Two white men charged with raping two Negro women are scheduled to go on trial in circuit court here Dec. 1.

The defendants, John C. Howard, Jr., and Jack Oliver, both of Elmore County, were indicted by a grand jury two months ago. They are charged with raping Annie Grayson and Melinda Jackson and robbing their husbands.

Sheriff Lester Holley gave this version of the charges.

The two white men reportedly stopped a car in which the Negro women and their husbands were riding. They forced the men from the car at gunpoint, took their money, and chased them away, firing shots above their heads.

Holly quoted the Negro women as saying they were forced into a pickup truck, taken away and raped.

Elmore County Solicitor Eugene Jones said the case will be tried "just like any case" and will be prosecuted on "basis of the evidence."

Hold Alabama Pair In Rape Of Two Women

WETUMPKA, Ala., May 2 —(NNPA)—Charged with raping two colored women after firing pistol shots over the heads of their husbands to run them away, two white men were held last Friday night without bond.

The men were booked as John C. Howard Jr., 30, and Jack Oliver, 20, both of Elmore County. They waived preliminary hearings and were held for the action of the grand jury.

Sheriff Lester Holley said the white men stopped a car in which the women, both about 25 years of age, and their husbands were riding on Saturday night, April 24. They forced the men from the car at gunpoint, took their money and ran them away by firing shots over their heads. The women said they were forced to get into the white men's pickup truck and were taken away and raped.

Attack on Child Laid to Man 39

HOLT, Ala.—Cora Malone, 11, charged here that Floyd Haywood, [illegible] farmer, criminally attacked her as her six-year-old brother and another small companion looked on. Haywood is lodged in the Tuscaloosa county jail without bond.

Jury Sets Free Alleged Rapist Of Woman, 54

By EMORY O. JACKSON

TUSCUMBIA, Ala. — (ANP)—The steamy spectators who had listened through two days of trial in which the 54-year-old mother of six children told the revolting story of how two white men raped her and used her against nature, were dazed, speechless, frozen with bitter surprise when the Jury Foreman C. H. Stutts read the verdict, "We the jury find the defendants not guilty."

Charles Berryhill, 29, and Herschel Casque, 27, for two days, July 26 and 27 had been on trial in the Culbert county court before Circuit Judge Robert M. Hill, charged with rape against Mrs. Mamie Farley Patterson, 54, on Feb. 20.

He put on a string of character witnesses and in his summation of the case told a "Sambo story" to charge that all Negroes will lie.

State Solicitor William Almon and County Solicitor Pat Harris prosecuted the two white defendants. Strangely, they did not call to the witness stand a "Dr. Pierce" who was listed among the state witnesses and is said to have examined Mrs. Patterson following the alleged double rape.

DEFENSE ATTACK

Defense Attorney, Jim Smith had built his case around the testimony of Eddie Simpson an alleged friend of the raped mother. Simpson testified that Mrs. Patterson had asked him to "try to take the case out of court." Smith sought to show that the mother had not been raped but had used the charge to cover up her husband's bootlegging when she found herself faced with the law.

Other state witnesses listed were: W. C. Stanford, chief deputy sheriff; J. H. Riner, deputy sheriff; C. H. Persall, J. C. McDaniel, Lonnie Newton, Easter Gulton, Claude Wheeler, Velma Ruth Wheeler, Delmer Frederick and James Patterson. Most of the prosecution witnesses were white.

DEFENSE WITNESSES

Defense witnesses listed were Eddie Simpson, Jones McClung, Homer Isbell, Rube Mitchell, Jesse Counts, Stanley Mitchell, Conrad Wheeler, W. P. White, Bud Kimbrough, W. L. Martin and Mrs. Brewer.

The jury was out about two hours and 40 minutes before returning with its not-guilty verdict.

Mr. Patterson, husband of the rape victim, charged that three of the members of the jury were known by him to be relatives of the accused men, but he did not identify them by name. Mr. Patterson was said to be intimately acquainted with the two white men for whom it is said he had been employed.

Neither the Florence Times newspaper nor the Tri-City Daily saw fit to report the trial. The two papers had carried adequate stories on the arrest of Berryhill and Casque.

When first arrested, Berryhill

and Casque were held without bond. Later they were released on $7,500 bail each after the preliminary when they were bound over to the grand jury, and subsequently indicted.

Hoodlums Rape Negro Woman In Birmingham

By Sylvia Hall

BIRMINGHAM, Ala.—Mrs. Mattie Lee Daniels, a 27-year-old Negro beautician, was raped and robbed by two young white hoodlums here. Poisoned with hate-talk and the whipped-up hysteria against civil rights by the Dixiecrats, the two 17-year-old boys yelled, as they attacked the young woman, "Truman is trying to put you N----rs over white people!"

In bed with terrible pain four days later, Mrs. Daniels related to this reporter how the boys had grabbed her and pulled her behind bushes in a vacant lot as she was walking to catch her street-car. They hit her in the side, the jaw and on both sides of her face, loosening her teeth. They then kicked her in the stomach a few times and in the left eye. "It must have been a foot kicking this eye," she said, "because a hand couldn't have made it hurt this much."

After assaulting her and then taking her class ring, a white coat, her slip, a bank book and her Christmas savings, the boys fled.

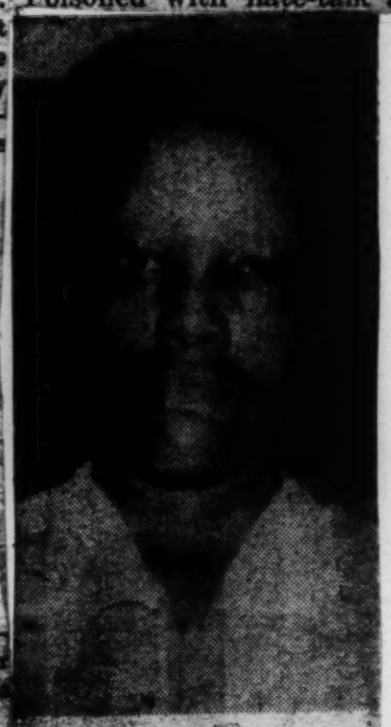
★

MRS. DANIELS said that when she was able to get up and find her clothes, she reported the incident to some men nearby. They called the police who picked her up and after questioning, took her to the city physician.

The boys were picked up by policemen who spotted them with her white coat and other possessions. They are now in jail without bond. Their trial is set for Nov. 26.

"I don't know how I'll ever be able to work again — the way I feel," she said. "I can't eat anything and even a little water hurts my stomach. My eye hurts so that I don't think I'll ever be able to read with it again."

Her husband is unemployed. He has a small truck which he used for hauling, but it has been damaged and is now out of use.



MRS. HATTIE LEE DANIELS

Southern Justice to the Negro

The Atlanta Constitution

It is too much to expect that the mischievous interlopers who are constantly telling the South how inhuman and unjust we are toward the colored race will pay much attention to a dispatch from Alabama which carries major significance.

It has generally been assumed that the greatest number of lynchings here in the South in years past was by way of swift reprisal in cases where a white woman had been criminally assaulted by a Negro. By the same token, it was insisted by our Northern critics that an assault upon a Negro woman was regarded as a matter of little consequence.

IT MIGHT be mentioned in passing that it is often assumed that the Negro cannot get justice from an all-white jury, whatever may be the offense for which he is tried.

Nobody will deny that Wetumpka, Ala., is in the heart of the South. And yet an Associated Press dispatch from that city tells us an all-white jury sent a white man to prison for 45 years for criminal assault upon a young Negro woman.

The jurors were asked by the prosecutor to show the Negro "he can get justice in court," and 30-year-old John C. Howard, Jr., was promptly found guilty of a criminal attack upon this Negro girl.

Then, acting under the regular legal procedure of the State, the jury fixed the penalty of 45 years in prison.

SHORTLY after reporting their verdict the jury asked, through its foremen, if it could go even further, and fix it so that Howard could not get a parole or pardon.

Circuit Judge Melton advised them to the contrary, but at least the jury did its best and it was, we repeat, an all-white jury.

It is a matter of satisfaction to the people of the South that these evidences of even-handed justice is meted out to the Negro on an ever-increasing scale. It is apparently too much to expect that the intermeddlers from the North will pay any regard to this improvement in our race relations.

Urge High Court Halt Dixie Youth's Execution

WASHINGTON — The Supreme Court has been asked to intervene on behalf of Samuel Taylor, 20-year-old Negro youth of Mobile, Ala., held under death sentence for the alleged "confession" of rape.

Taylor's case came to the high court on appeal of counsel who claim that the "confession" of rape was obtained through "force and violence" which was withheld from them by the youth under threats by police officers.

The youth was arrested with three other Negroes near Prichard, Ala., in robbery case and later charged with rape. He was convicted on the latter charge in the Circuit Court on November 19, 1946, and sentenced to death.

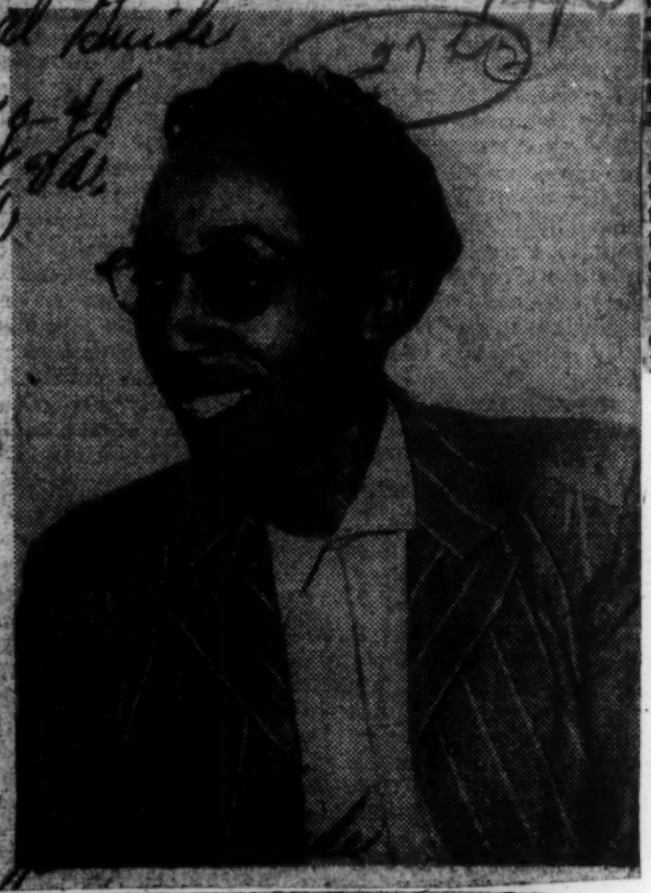
The lower Court's action was affirmed by the Alabama Supreme Court on April 24, 1947.

27h(2) 1948

Attempted Rape

7797

Charges Sheriff With Attempted Attack



Miss Elizabeth V. Pitt, school teacher of Bertie County, N. C., has charged Sheriff Harry L. Smith, Bertie County with "willfully, unlawfully, feloniously, and burglariously" breaking and entering her home to "forcefully and violently ravish and carnally know her."

Miss Pitt charged on Apr. 5 in recorder's court of Windsor, N. C. before Judge J. R. Davenport, that the sheriff's offense occurred about 2 a. m., March 28, while she "occupied, and slept in," her home.

"We tussled for about 20 minutes before I broke away and fled to a neighbor's house," the woman said, stating that the man, elected sheriff in 1946, remained in her house for at least another hour before he came out and got into his automobile.

Later, Smith, who is married and has a young daughter, denied the charges. He admitted that on the prvious evening he had gone to the teacher's home to serve ejectment papers but insisted that he had not seen her after that.

Miss Pitt teaches elementary classes at the King School about 10 miles from Windsor.

Teacher Says Sheriff Tr[illegible]

[illegible] one last Sunday night, put his arms around her [illegible] ripped the top off her pajamas while attempting to [illegible]ly attack her, last week obtained for Miss Eliza- [illegible] 40-year-old school teacher, a warrant for the arrest [illegible] pened by the alleged victim, said that he had thoroughly investigated the entire case and found evidence which led him to order the warrant issued.

The warrant, issued by Solicitor R. R. Taylor of Roxobel, charged that the sheriff, Harry L. Smith 38, "unlawfully, willfully, feloniously and burglariously did break and enter at or about 2 o'clock in the night of March 28, the dwelling house of one Elizabeth Pitt."

It further charged:

"He, the said Harry L. Smith, attempted to forcibly and violently ravish and carnally know said Elizabeth Pitt a female occupying and sleeping in said dwelling house at the time, by force, without her consent and against her will."

Smith was released under a $10,000 bond pending a hearing on Monday morning.

Tells Her He Wants Her

The solicitor who was told of the incident on the day after it hap-

Miss Pitt told newspapermen that she had been awakened early in the morning by someone knocking upon her door and calling, "This is Smith, Sheriff Smith, open the door."

After telling him it was no time to be coming to anyone's door, she said when she inquired of him what he wanted, he answered, "I want you."

Crawls Through Window

Shortly afterward, she stated, he wiggled his way through one of the side windows of the house, entered her bedroom and forcibly tried to make her submit to him, caressing her and tearing her pajamas.

7798

Boy, 13, Admits Sex Slaying Of Girl, 6: Body Is Recovered

Confesses To Molesting Child, Holding Her Under Water Of Creek

NAPA, Calif., April 17—(AP)—The naked body of a 6-year-old girl was found in a muddy creek today. Police Chief Eugene Riordan said 13-year-old Richard Thompson had admitted the sex slaying.

The little girl had been undressed, molested and drowned Chief Riordan said.

HE TOLD REPORTERS THAT young Thompson made the admission after he had been questioned by police for five hours.

He was held in the Napa County Detention Home while officers discussed preparation of charges.

Chief Riordan said the boy had made a statement that he had lured the girl under a bridge, removed her clothes and then held her head under the waters of rain-choked Napa Creek until she drowned.

Riordan said the boy, showing no emotion, declared he had drowned Verna Sue Haskins, 6, because he was afraid she would tell her parents, Mr. and Mrs. Lowell Haskins, of Napa, of his liberties with her after school Friday.

The chief said the youth declared he threw the body into the creek and went to a movie after first changing his muddy clothes at home. Search for the body continued Saturday, hampered by high, muddy waters.

The boy's statement was taken after five hours of questioning by Riordan and Dist. Atty. Daniel K. York, of Napa County.

Search for him began when acquaintances told of seeing the boy and Verna Sue ride off together on his bicycle from the school which both attended.

The missing girl's parents had called police after she failed to arrive home an hour after school.

Riordan said the boy was found at the movie. At first, said the chief, he insisted he dropped the girl off five blocks from the bridge. After making his statement, the chief continued, he took police to the spot where he had hidden her clothes and to the pool where he had held her head under water.

The boy was described by Riordan as large for his age, weighing 160 pounds and standing five feet, 10 inches.

RAYMOND ADAME, 18, was found guilty in Los Angeles Superior Court of assaulting his girl friend, Celina Jaramillo. His alibi: Celina had lured him with a "sandwich" of spaghetti and beans. "This cast a spell over me, causing me to fall desperately in love with her," said Adame.

Boy, 14, Accused of Molesting Girl, 8

SANTA BARBARA, July 9—Police said today a 14-year-old boy inflicted serious body burns with a hot iron on an 8-year-old girl after he had molested her. It allegedly took place in an east side children's boarding home.

Authorities, withholding the children's names, said burns were inflicted by the boy as a warning for the girl not to tell of his attack.

The boarding house is operated by the boy's mother.

The boy will be arraigned in juvenile court next week.

7799

Boy Slaying Suspect Sleeps Quietly in Cell

VALLEJO, Cal., April 18—(AP)—A 13-year-old boy accused of the sex slaying of a six-year-old girl slept peacefully in jail here after being denied a comic book or a trip to the movies. 27h(2)

"I'm okay and everything is fine," the boy, Richard Thompson, was quoted by jail attendants as saying when he awoke Sunday morning Atlanta, Ga.

Sheriff John Claussen, of Napa County, brought the five-foot 10 inch youth here Saturday night because the Solano County branch jail here has a juvenile wing. Napa County has n ofacilities for children. Mon. 4-19-48

Dist Atty Daniel York, of Napa County however, does not regard the drowning of little Verna Sue Haskins as a juvenile matter. He has preferred first degree murder charges against the 160-pound boy.

Girl positively identifies man as South Park rapist

has never been apprehended.

Positive identification by an Eastside woman resulted in a paroled sex offender being held to answer this week on a rape charge. 27h(2)

Bound over for superior court trial was Bertran Johnson, Jr., 23, 633 E. 54th st., identified last week by Miss Margaret Johnson, 27, of 503 Park Front Wk, as the man who participated in a double rape of her four months before.

Miss Johnson brought about Johnson's arrest on Mar. 25 when she recognized him on the street and called police. Arresting officers said Johnson was vague in his denial on the charge and although admitting that he is on probation for a similar offense, declared:

"I think she has the wrong fellow . . . I don't remember ever doing anything to this girl."

Miss Johnson said she was walking home through South Park at about two a. m. Nov. 2 when a man jumped out of the bushes, grabbed her and dragged her back into the bushes. There, assisted by another man, he pulled off her slacks and both attacked her, threatening her with a knife the while.

Johnson admitted being in the vicinity of the attack on Nov. 2, although he works and lives in Oregon. Second of the attackers

Police Capture Rape Suspect After Chase

Washington police stopped two speeding automobiles early yesterday and unfolded a story of alleged rape, night and continued pursuit.

Gustave Lasanska, 32, of 6600 Walker Mill rd., near Oakland, Md., identified as the driver of the pursuing auto, was subsequently held without bond by Prince Georges County (Md.) police on a warrant charge of rape.

The charge was made before Trial Magistrate Alan Bowie by a 43-year-old Washington housewife who said she eluded Lasanska after his alleged attack, hailed a passing car on Marlboro Pike near the District line, and was still being chased by Lasanska when police halted both cars.

Police said both cars were traveling about 50 miles an hour before they were halted on Pennsylvania ave. south of Sousa Bridge.

Local police turned Lasanska over to the county police after the Maryland man posted and elected to forfeit $25 bond on a speeding charge. A companion, George W. Forney, 37, of 500 H st. ne., similarly forfeited $10 on an intoxication charge, police said.

The aggrieved woman told Magistrate Bowie she was at a Capitol Heights beer tavern with her mother when she met the two men. They offered to drive her home, she said, and first drove her mother home in Capitol Heights.

En route to the District, however, Lasanska parked on Walker Mill rd, near Marlboro pike, and attacked her, she charged. His companion, she said, did not participate in the assault.

Lasanska faces hearing on the rape charge Monday, at Upper Marlboro, Md.

D.C. Man Held In Rape Case

A 21-year-old youth, released from Lorton Thursday after serving a three-month auto-tampering sentence, yesterday was charged charged with assault with intent to rape a 12-year-old girl.

The youth, Leroy Johnson, 21, of 31 P st. ne., was jailed in lieu of $10,000 bond for action of the grand jury when arraigned before Judge Walter J. Casey, Municipal Court.

According to police the girl was assaulted early yesterday in the bedroom of her home while her

Sex Squad Detective James G. Bryant said that police were called to the girl's home at 1:30 a. m., shortly after the allege dassault, and that he arrested Johnson three hours later.

The detective said that the girl and a sister, 7, positively identified Johnson at a special police line-up.

The defendant denied the charge, saying he had been drinking and had "blanked out" during the night, according to police.

According to Bryant, the defendant entered the girls' home, where the tow sisters were asleep wit ha younger sister and brother. He assaulted the oldest girl in a bedroom where she slept alone, police charged.

Police said the 7-year-old sister made similar charges against Johnson. oBth girls appeared in court, their neckes badly bruised and scratched.

Ross Faces Trial For Life in Rape

Joseph (Dupe) Ross, 54-year-old Takoma Park, Md., garbage collector, will go on trial for his life today in Montgomery County circuit court, charged with raping a 72-year-old widow last May.

Police said Ross was arrested as a result of an accurate description given them by the nearly blind woman who used her sense of touch. A Montgomery County jury, called into special session last month, indicted Ross after deliberating only a few minutes.

Rape Charge Holds Despite No Law Plea

John L. Chapman, jr., attorney for George M. Brown, 26, a plasterer, of 1312 Corbin pl. ne., argued in Municipal Court yesterday there is no existing statute under which the defendant could be charged with rape. He contended the relations with a mentally retarded woman were without physical force.

"The woman involved is 30 years old, according to calendar years and she submitted willingly," the lawyer declared.

J. Warren Wilson, assistant United States attorney, prosecutor, insisted the woman lacked the sense and knowledge of a child of 6 or 7 years, a fact that was obvious to anyone.

"No man should be allowed to impost himself on someone so obviously handicapped. Society must be able to protect its unfortunates," he stated.

Brown is accused of meeting the woman in a delicatessen near her home and taking her to his nearby basement apartment Saturday night.

Judge Walter J. Casey ordered Brown held for grand jury action on the charge and set bond at $5000.

GRABS RIFLE, SHOOTS OFF FACE

Kills Her Husband's Guest, Claiming Violation on Date

EVERETT, Wash., June 19—(UP)—A man was shot and killed here today by a young mother who claimed he had attacked her while visiting her home as a weekend guest.

Mrs. Bessie Kempf, 30, Sultan, Wash., told deputy sheriffs she fired a rifle shot that blasted away the face and took the life of Wesley C. Ackerman, 23, who had been invited to her home by her husband, Walter, for a fishing trip. Ackerman died at a hospital tonight.

Snohomish County Sheriff Tom Warnock found the critically injured Ackerman lying in the middle of the highway 200 feet from the Kempf home. Sheriff Warnock earlier this week led investigation of the cliff slaying of a wife by a man who had also pushed his daughter off the precipice.

Mrs. Kempf told deputies she left the house with Ackerman "to get a cup of coffee" shortly after her husband retired at 3 a. m.

Warnock said she told him that instead of driving to Sultan, Ackerman drove to a hill where she said he attacked her.

When the pair arrived home, she said, her guest began making advances towards her and she grabbed the rifle, inserted a shell and fired.

Meanwhile, her husband had gone in search of the two and had not returned, she told Warnock.

Warnock said Ackerman was unable to do more than mumble something about "having been in a house" before he died.

Mrs. Kempf was held in the county jail here.

Farmer Held Without Bond In Auto Rape

N. C. Man Waives Preliminary Hearing At Court Appearance

A frigh ned young North Carolina farmer was led into Municipal Court yesterday for arraignment on a charge of rape.

The court appearance of Elvid H. Parrell, 26, of Bear Creek, N. C., was brief. Through a court appointed attorney, he waived preliminary hearing and was ordered held without bond for action of the grand jury.

Police say Parrell is the man who early Tuesday morning forced the 31-year-old wife of a park policeman into his car one door from her home, drove her to a secluded spot and draped her.

They said Parrell admitted the attack after his arrest Tuesday afternoon.

Although Parrell is a slightly built man, weighing no more than 120 pounds and only about 5 feet 4 inches tall, he was flanked by six deputy United States marshals and bailiffs when he appeared in court.

Parrell appeared without counsel, so Judge Aubrey E. Fennell appointed Michael Colbert, 71-year-old attorney who has practiced law in Washington for 50 years, to represent him.

Colbert was called from another courtroom. He conferred very briefly with Parrell and then informed the court his client would waive preliminary hearing.

Colbert later told reporters Parrell had told him:

"I don't know why I did it, but I did it. I must have been crazy. I never saw or heard of her before."

Victim Not in Courtroom

There was a brief recess at the beginning of the arraignment during which the park policeman husband of the rape victim and Assistant United States Attorney Harold Bacon met with Judge Fennell in his chambers.

Before the conference, the husband surrendered his blackjack to a deputy marshal.

However, neither the husband nor his wife appeared in the courtroom during the arraignment.

The wife, a tipy woman, 5 feet tall and weighing only 110 pounds, sat in a waiting room. Clearly visible were the lacerations on her upper lip and a swollen red bruise above her left eye, injuries inflicted by the rapist when he beat her with his fists.

After the arraignment, Parrell was taken to the District Jail.

Flier Held On Nurse's Charge He Raped Her

Bolling Field Pilot Denies Accusation; Had Gun in Car On Pickup Date

A flier who won the Distinguished Flying Cross during the war in the Pacific was by Prince Georges County charged with rape yesterday police on the complaint of a 23-year-old Washington nurse.

The pilot, held without bond in the county jail at Upper Marlboro, is Lieut. William Alger Dawes, jr., 28, of 1235 Alabama ave. se., who is stationed at Bolling Field.

Dawes was arrested at his apartment yesterday morning by Detective Mike Apperti of the sex squad after the nurse had made a complaint at the Eleventh Precinct. Washington police, who later turned over Dawes to Prince Georges County authorities, said the pilot denied the rape allegation.

After the nurse had made the complaint, police said, she was taken to Gallinger Hospital where preliminary medical report showed no evidence of rape.

The nurse, however, declared she had submitted to Dawes in his car because he produced a .25 caliber automatic from the dashboard compartment.

Washington police said both Dawes and the girl admitted he "picked her up" Thursday afternoon at 14th st. and Pennsylvania ave. She [illegible] Prince Georges police [illegible] "necked" with the pilot during the afternoon and then made a date to meet him at about 11:30 p. m. after she finished work at Doctors Hospital.

After the nurse, who lives in the 3400 block of 23d st. se., had completed work, police were told, she met Dawes and accompanied him to a waterfront restaurant where they ate and had several drinks.

Police said the nurse told them that Dawes then drove to his apartment but that she refused to go upstairs with him. She said he then drove into Maryland, near Camp Springs, and parked.

She said she submitted to him when he produced the automatic. laid it on the panel above the dashboard and said, "I always take care of my girls."

Later, when police asked him what he meant by the remark, Dawes said he had read about the Glen Burnie murders and he wasn't going to let that happen to me.

The nurse told police that when they left the parking spot, Dawes drove back to his apartment. She said that she helped him carry

several packages into his apartment, and that when he fell asleep on a divan in the living room, she left and went to the Eleventh Precinct.

According to Bolling Field authorities, Dawes is married but has no children. They said they understood his wife was not in Washington.

According to Air Force records Dawes is a native of Atlanta, has been at Bolling Field for three months and was to be transferred next Tuesday to the Barksdale Army Air Base at Shreveport, La. While at Bolling Field, he was attached to the headquarters command.

A veteran of the Pacific, he holds, in addition to the DFC, the Air Medal with one cluster and a presidential citation. While in the Pacific theater, he served with the Air Transport Command as pilot and photographer.

Dawes is to have a hearing Monday at 10 a. m. in Upper Marlboro Police Court.

North Carolina Man Indicted by Grand Jury in Rape Case

A 26-year-old North Carolina farmer was indicted yesterday for the rape here of a Park Policeman's 31-year-old wife.

This was one of 31 indictments returned by the District Grand Jury. The cases were handled by Assistant United States Attorney Andrew J. Oehmann.

The rape defendant is Elvid H. Perrell of Beor Creek, N. C. According to the charge, he followed his victim as she rode a bus from downtown Washington to Anacostia and, as she approached her home, forced her into his car on the night of September 7.

The woman struggled with her assailant, but could not prevent him from driving her to a spot near Joliet st. and South Capitol st., where she was attacked.

In another sex case, Calvin J. Sneed, 21, of Oxon Hill, Md., was charged with housebreaking, assault with intent to commit rape on a 32-year-old housewife as she did her laundry in the basement at 216 O st. nw.

According to the indictment, Sneed hit her with a monkey wrench and while she was in a state of semiconsciousness tried to ravish her.

Baby Is Raped In Trailer

Eau Claire, Wis., Sept. 26 (U.P.)—Police today hunted a sex criminal who raped a 21-month-old baby when her mother left her briefly in their trailer home.

Mrs. Marian Brown, who is separated from her husband, told police she left the baby and her 3-year-old brother in the trailer for a few minutes while she went to a store nearby.

As she returned she saw a short, dark-haired man, about 25 years old, run from the trailer.

Dr. R. R. Richards, who examined the baby, said she had been raped. "The attack caused internal bleeding," he said, "but the child was not injured critically."

Tried for Rape, 2 Convicted Of Assault

BULLETIN

Paul C. Fugitt and Frank F. Cowens last night were found guilty of assault with intent to rape by a jury in Maryland Circuit Court.

The story of many drinks, a long cab journey, a mental "black-out" and finding herself abandoned in the nude in the Maryland countryside was told in Circuit Court at Upper Marlboro yesterday by a District woman.

The 43-year-old mother of four children testified as Paul C. Fugitt, 31, of 1105 6th st. sw., and ... F. Sowens, 41, formerly of 3378 Aldern pl. ne., went on trial on rape charges.

The evidence was heard by Judge Charles C. Marbury and an all-male jury.

The woman told the court she accompanied Fugitt, a refrigerator installation man, and Cowens, a cab driver, the evening of Sunday, September 5, on a rambling ride in Cowens' cab that took them to a Maryland drinknig spot just over the District line on Kenilworth ave., to Cheverly, then back to the District and — finally — out into Maryland again, to Oxon Hill.

She testified that yhile they were at a housing development in Cheverly she rejected a lewd proposal made by Cowens.

Later, she related, when they returned to the District they drove to the home of Fugitt's mother-in-law. Fugitt, she said, explained he wanted to pick up his wife and four children.

The wife did not accompany them but the children, ranging in age from 2 to 9, did, the woman testified.

The woman said she "blacked out" during the second trip to Maryland and awakened on a lonely road to find the children gone, her clothes stripped from her body and Cowens trying to perform an indecent act.

She declared that when she protested, the two men drove off in the cab and left her standing nude on the road. She said she walked several miles to the nearest house to obtain clothes and call police.

The woman's testimony was challenged by Mrs. Paul C. Fugitt, wife of one of the defendants, who said when the trio arrived at her mother's house the woman was "very drunk."

Mrs. Fugitt told the court she joined the party in the cab and so did her brother-in-law, John Fugitt. She said they drove to a tavern in Oxon Hill, Md., and left the woman sleeping in the car.

Mrs. Fugitt said that John Fugitt went out to the cab and found the woman gone, that after a search did not locate her, she returned home with her husband.

Mrs. Fugitt was followed on the stand by John Fugitt and Cowens. Their testimony was similar to that of Mrs. Fugitt. Sowens denied the charges.

Dr. John I. Boyd, county medical examiner, said his tests did not prove rape but that it would have been possible. He said the woman had bruises and lacerations all over her body.

Rape Suspect Is Held Without Bond for Jury

Willie Henry Massey, 36, a laborer of 35 Quincy pl. nw., was held without bond yesterday for action of the District grand jury on a rape charge.

Massey is charged with raping a 14-year-old girl Friday night at the Banneker playground, Georgia ave. and Euclid st. nw.

According to police, Massey was identified in three other assaults involving women. Cases will be presented to the grand jury charging another rape, an attempted rape and one case of thrusting a toy pistol at a woman in an attempt to get her to have sexual relations with him, it was said in Municipal Court.

Man Charged With One Attempt A...

Police yesterday announced the arrest of a 36-year-old laborer who, they said, has committed three rapes, an attempted rape and an assault on girls and women during the past month.

The man, Willie Henry Massey, of 25 Quincy pl. nw., was arrested by a park policeman and policewoman Monday night at the Banneker playground, Georgia ave. and Euclid st. nw., where a 14-year-old girl was raped Friday night.

Police said Massey when arrested had in his possession an imitation .45 caliber automatic which could easily be taken for a real weapon.

Massey was placed in a special lineup yesterday morning at police headquarters at which time he was positively identified by two 14-year-old girls.

The first identified Massey as the man who raped her twice at the Banneker playround Friday night. She said she and her girl friend had stopped at a drinking fountain when the man suddenly appeared and shoved a gun in her side. The other girl said the man attempted to rape her but was unsuccessful.

A 34-year-old Navy Department employe who was assaulted last Wednesday night in Rock Creek Parkway, in the rear of Francis Junior High School, 23d and M sts. nw., also singled out Massey as her attacker.

She said the man approached her in the 2300 block of N st. nw, threatened her with a gun and forced her to accompany him to the spot where he raped her.

Massey was also positively identified by a 22-year-old woman who said he raped her twice in the presence of her escort about a month ago. This attack also took place in the rear of Francis Junior High School.

According to police, the rapist forced the escort at gunpoint to lie on his back while he attacked the girl. After the assault, police said, the escort was robbed of a billfold containing $6.

He was also positively identified by a 35-year-old woman who said he tried to attack her Friday night at Georgia ave. and Barry pl. nw.

The woman said the man was scared off when she screamed and attracted the attention of several passing motorists.

Police said Massey is married but is separated from his wife and five children. He has been employed as a laborer by a local contractor. He has no previous sex record.

Capt. Mark Raspberry, head of the park police, said Massey was arrested by Pvts. Gertrude E. Wilson and Walter R. McEwen of the park police, who had been stationed at the Banneker playground in plain clothes.

He said their attention was drawn to Massey when they noticed him loitering in the playground and saw he was dressed similarly to the man who had raped the 14-year-old girl there three nights earlier.

Raspberry said park police had maintained a constant vigil in areas frequented by the rapist since the series of assaults.

Massey, who denied guilt in any of the cases, was held without bond and will be arraigned in Municipal Court today.

Rape Case Hearing Set Saturday for Bus Driver

Preliminary hearing for an Alexandria bus driver charged with raping a 23-year-old married woman will be held Saturday at 10 a. m. in Alexandria Police Court.

Thomas Campbell, 29, of 1309 King st., Alexandria, was held in $5000 bail by police who arrested him Tuesday morning on the charge that he raped the woman Monday afternoon in her room at an Alexandria boarding house.

Jury Acquits N. C. Farmer In Rape Case

Complainant and Her Husband Get News With Unbelief, Shock

By Jean ... and Joseph Paull

Post Reporter

Elvid H. Perrell, 26, was found innocent late yesterday in District Court of a charge of raping the 31-year-old wife of a Park Policeman.

When the jury of 11 men and one woman returned its verdict after almost four hours deliberation, the slender, fair-haired defendant wept.

He embraced his pretty wife and their two tow-headed infants. Cries of joy and relief swept the courtroom as his family and friends from his North Carolina farm country offered congratulations.

At their home at 3212 Brothers pl. se., the complainant, Mrs. Louise C. Johnson, and her husband, Paul W. Johnson, who were not present in court when the trial closed, received the news of the acquittal with unbelief and shock.

Nothing But Grief

"I'm sorry I ever reported the matter to police. What good did it do? The publicity has brought me nothing but grief and I am paying for someone else's crime," Mrs. Johnson, petite and blonde, declared.

Her husband said he asked immediately for several days' leave from his job after hearing about the verdict.

"I've got to think over whether I want to go on being a policeman. What is the use of arresting the guilty if they are not convicted for their crimes?" he asked.

"I suppose I should go looking for the man, but they've, no doubt, spirited him out of town," he added.

Speedy Departure

Defense Attorney Charles E. Ford disclosed after the trial Perrell would leave the city speedily.

Perrell never took the witness stand, but his attorneys conceded that he had intercourse with attractive Mrs. Johnson.

The case apparently resolved itself around the following question: "Was the duress allegedly used by Perrell legally sufficient to make his attack on the woman a rape?"

Mrs. Johnson had testified that on the night of September 6, Perrell stopped her as she neared her home, after alighting from a bus about a block and a half away. She said he forced her into his car, locked the door, struck her at least thrice, and threatened her life at that time. She was badly bruised from the assault, it was said.

However, the testimony was that he then drove her 2 miles before the sexual act took place on a secluded street. During the drive there was no repetition of the blows or threats, the defense maintained.

7804

White Driver Indicted For Girl Assault

Atlanta, Ga.

TALLAHASSEE, Fla. —(ANP)—A white truck driver, J. C. Evans, 35 years, has been indicted by a Leon County grand jury for the raping last week of a 16-year-old Negro girl baby-sitter. The rapist has been set free on a $1,900 bond.

The sheriff said the girl reported Evans had hired her as a nurse for his children and taken her in a taxi six miles south of the city, where he released the cab and attacked her. Wed. 3-10-48

Evans was arrested late Saturday night. State Attorney Hopkins said he also has filed information charging Evans with forgery annd breaking and entering the office of the construction firm for which he worked and taking payroll checks amounting to $108.

Mistrial Ordered In Florida Rape Case

27h(2) Daily World

Atlanta, Ga.

TALLAHASSEE, Fla.—(ANP—An all-white jury hung for more than three hours here last week wrangling over the innocence or guilt of a white man charged with raping a Negro teen-age "baby sitter" in his employ, and the judge declared a mistrial. Fri. 1-9-48

The accused, James C. Evans, engaged by a Florida construction company as a truck driver, testified while on the stand that the girl knew why he took her to the lonely spot and accepted his money. His defense was centered on the statement: "I was about as drunk as a man can get."

Defending her chastity, the 16-year-old baby sitter hardly more than a baby herself, took the stand and sobbingly related a distressful story of the attack made on her.

She began by telling how Evans came to her home about 5 a. m., early one morning last February and asked her to come and sit with the baby as had been her custom. She refused, but when paid in advance $2, she consented and was then taken off in a taxicab. Evans she said, told her that the baby was then staying with an aunt in the country. Because of this statement, the girl said, she was not afraid to get out of the cab when it stopped on a lonely road and she was ordered by Evans to "get out."

Once out of the cab, the girl testified: Fri. 1-9-48

"He pulled out a knife and forced me down a path into a swampy area. I tried to run, but was too scared to get away."

Following the assault the girl continued, "I was able to half run and half walk back to town."

R. L. Joyner, the white taxicab driver, told the court that Evans did tell the girl that the baby was in the country. The mother of the girl, names are prohibited by Florida statute, declared that Evans told her that he wanted the girl to sit with the baby. No date was set for a second trial.

Leon County grand jury for the raping last week of a 16-year-old Negro girl baby-sitter. The rapist has been set free on a $1,900 bond. Atlanta, Ga.

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Jury Unable to Decide in Attack on 'Baby Sitter'

27h(2) The Afro-American Baltimore, Md.

White Fla. Truck Driver Pleads 'Drunk'; Cabbie Backs Story Told by Girl, 16

Sat. 7-10-48

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Thought Baby in Country

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Cabbie Backs Girl's Story

The Afro-American Baltimore, Md.

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27h(2) Journal & Guide

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Girl Accuses Golf Player

Atlanta Constitution

Chief Claude C. High, of the Dade County Sheriff's office criminal division said Dana allegedly attacked the girl following a dance at Miami Beach's Roney Plaza Hotel on March 13.

A caddy told the officers that he had checked out. High said the warrant for Dana's arrest was issued on the strength of an affidavit signed by the alleged victim of the alleged

Of Assault

MIAMI, Fla.—(UP)—A state-wide alarm was sounded last night for a 26-year-old Pennsylvania entrant in the Miami Open Golf Tournament who is charged with criminal assault on a department store clerk here after offering her a "lift" home from a dance.

He is Larry Dana, of Bradford, Pa., who Thursday carded a 77 in the $10,000 golf meet.

Dana had sent word that he had "withdrawn" from the tournament.

A check of his hotel room re

EDITOR TAYLOR ORDERED TO APPEAR BEFORE WILLIAM A. HALLOWES, III, STATE ATTORNEY

Articles About Talley Rape Case Discussed Pro and Con

EDITOR WAS NOT ARRESTED AS RUMORED BY ENEMIES

At exactly 2:20 P. M. on the afternoon of Friday, Oct. 15, 1948 Ted Mains, deputy sheriff of Duval County served a special summons on Editor Porcher L. Taylor, Sr., 511 Broad Street, signed by William A. Hallowes, III, to appear on said day at 3 P. M., before the District Attorney to answer for the three articles published in the Florida Tattler the weeks of Oct. 2-9-16.

The District Attorney was surrounded by his able assistant county and assistant county detectives, court reporter and Editor Taylor.

The District Attorney was very plain and concise with his statements and questions and was very courteous throughout. He spoke as an official and as a citizen condemning certain articles pertaining to the Lonnie Lee Talley Case and the execution. He rehearsed the entire Talley Case, his findings, the trials, etc., in order to acquaint Editor Taylor with the entire proceedings since he, Taylor, did not attend the trials.

The entire meeting lasted for one hour in which understanding was gained on both sides.

The District Attorney said "I cannot condemn you in your belief that Talley was innocent, nor can I keep you from publishing the news as you see it, but I do condemn some of your articles." He also said "I understand that you are a substantial citizen with a large circulation, and that you and your paper, the Tattler, can mold sentiment and influence the Negro people."

He asked this question — "Who is the race seller?" Answer—McKeever. "What McKeever?" The progressive newspaperman. "Is there any jealousy between you two?" No!

He also said—"The phone calls you received concerning the Talley Case was phoned in by whom?" I do not know. "Why didn't you call and tell me about the tips and the name of the white man that was accused by your articles?" No answer.

He also said—"I did not send for you to arrest you, nor am I threatening you in any shape, form or fashion, but I am officially interested in the big head lines of your paper in reference to the Talley Case."

Editor Taylor was summoned before the District Attorney on Friday, October 15, but premature gossipers had it out that Taylor was arrested on Thursday, Oct. 14. Some of the rumors was put out by Albert J. McKeever, who believed that Talley was guilty.

It appears that McKeever and the Chronicle editor are working together on the Talley Case and are trying to say that the Tattler did not have any evidence and that all articles were false. They can believe whatever they may, and they can write whatever they see fit. But they have no control nor interest in the Tattler and that the Tattler is not suffering for (ads) nor subscriptions. The Tattler has the largest honest circulation in the State of Florida and is not a pussy-footing paper nor does it bow to the roll of an Uncle Tom. Subscriptions and (ads) are given to the Tattler for being a militant mouth piece and that is something that the people can depend upon as a powerful weapon.

Negro Admits Attacks On Florida Women

CLEARWATER, Fla., Aug. 28—(AP)—Sheriff Todd Tucker said a Negro admitted in a signed statement Saturday he had raped two socially prominent white women here.

Tucker identified the Negro as Felix Combs, 24, a former carnival worker. He took officers, Tucker said, to the homes of both of his victims and gave details of how he attacked the women.

One of the victims, the sheriff said, was a bride-to-be who was raped and savagely beaten Aug. 5 in the house she was soon to occupy as a bride.

The second attack was made on a woman whose husband was returning home from vigilante duty which special policemen had performed after the first attack.

Tucker said Combs has been removed to an undisclosed jail.

Police Chief J. J. Elliott said Combs was the 57th man questioned in the case.

* * *

A POCKETKNIFE and a silver dollar were the clues that led to the complete confession.

Both items, police said, were stolen from the house of the last victim.

The Negro spent the dollar at a store whose proprietor identified Combs.

The Negro said in his confession he was frightened from the house of his second victim by a flashlight beam.

The light was flashing from the hands of the victim's husband. The husband gave chase, but was outdistanced.

The arrest ended a widespread manhunt. At times feelings were high, but reports of threatened demonstrations never materialized. One cross, however, was burned Thursday night.

White Man Held in Fla. Attack Case

TALLAHASSEE, Fla. (ANP)—A burly, white truck driver, James C. Evans, 35, has been indicted by a Leon County Grand Jury on a charge of criminally attacking a 16-year-old baby-sitter last week. He has been set free on a $1,900 bond.

The sheriff said the girl reported Evans had hired her as a nurse for his children and had taken her in a taxi six miles south of the city, where he released the cab and attacked her. Evans was arrested late Saturday night.

State's Attorney Hopkins said he also has filed information charging Evans with forgery and breaking and entering the office of the construction firm for which he worked and taking payroll checks amounting to $108.

7805

Mexican Admits Rape-Slaying

CHICAGO, Dec. 21.—(AP)—An admitted marijuana smoker signed a statement today in which authorities said he confessed in vague terms the rape-strangling of 10-year-old Roberta Rinearson.

Hortensio Perez Arias, 31, a Chicago laborer and naturalized citizen of Mexican origin. He was picked up by Hammond police early Monday roaming aimlessly along a Hammond highway.

Arias attempted to escape when police turned him over to immigration authorities today for investigation. While being questioned about his citizenship status, he suddenly blurted out: "I choked that girl."

Arias was brought to Chicago for further questioning.

The body of the Rinearson girl, a parochial school pupil, was found in a lonely ditch near a cemetery between Chicago and suburban Elmhurst last Saturday morning.

Auburn Announcer Acquitted Of Rape

OPELIKA, Ala., Nov. 10—(AP)—A 56-year-old announcer was acquitted by a Circuit Court jury here last night on charges of raping a Polytechnic Institute student.

The announcer, Lovett was indicted by a grand jury here last month after the 19-year-old girl and her father brought the charges against him.

Circuit Judge Albert Hooten cleared the court of spectators during the trial. The jury stayed out only 11 minutes before acquitting Lovett.

boy last week.

The FBI said Pollard, seized yesterday in Red Cross headquarters, had orally admitted fatally beating the boy and stuffing his body in a drawer in the American Hotel in St. Louis. The child's battered body was found last Saturday, three days after Pollard had checked out of the hotel.

The boy was Joseph Nichols, Jr., son of a friend of Pollard's.

"Guilty, sir, and I'll waive extradition," Pollard said when arraigned. The case, however, was continued to Dec. 3 pending receipt of a copy of the original warrant. His bond was set at $10,000.

A coroner's jury in St. Louis on Monday decided that the Nichols baby died of internal hemorrhage caused by a sex attack by Pollard.

Taxi Driver Charged With Raping Fare

A District cab driver was charged yesterday with raping a 35-year-old fare who hailed his cab after leaving an after-hours drinking club on Portner pl. near 14th and Q sts. nw.

The cabbie, Amiel Gleason Turner, 33, of 1245 Army and Navy dr., Arlington, Va., denied he had ever seen the woman he is charged with raping. He was held for arraignment in Municipal Court today.

The woman, a divorcee, who formerly worked as a waitress, told police she hailed a cab and when she told the driver to take her home, he replied: "You are coming with me."

The woman asserted Turner drove to a secluded section which she believed was an area in Rock Creek Park, choked her unconscious and then raped her.

After she recovered consciousness, she said, he drove her to her home where she called police.

Turner was picked up yesterday through a description of his cab and the license number noted by witnesses. The victim identified him at a police lineup.

The woman was examined at Gallinger Hospital, where finger marks on her throat were noted. Results of tests to determine whether the woman was raped were to be available today.

Confession Reported In Slayer Murder

CHICAGO, Nov. 20—(AP)—Willie Norris Pollard, 26-year-old former mental patient, was held in jail today pending removal to St. Louis where he is wanted on a charge of murdering a 2-year-old

body of a pretty, blond 24-year-old nurse in the car he, him and cold officers a bizarre story of a midnight tryst that ended in her death.

The attorney's office announced that the man, Tommy E. Black, 28, admitted beating the girl about the face and head with his fists in a quarrel that climaxed the couple's first date.

The victim was identified as Betty J. McCall.

Coroner Howard Dishong said a preliminary medical examination indicated Miss McCall died of facial and head injuries.

Assistant Prosecutor Tom Downey said Black admitted beating and choking Miss McCall on a lonely highway shortly after leaving a night club early today.

He denied criminally attacking her, but the coroner said his examination showed she had been criminally assaulted.

Two Negro Women Assault Victims Of White Men

An expectant mother, age 20 was attacked in her home on West 18th street Tuesday afternoon between 2:30 and 3:00 o'clock, December 21st, by an unidentified white man who gained entrance by posing as a doctor from the Marine Corp on a health survey. The intruder, according to the young expectant mother, produced papers displaying an insigna of the Marines and she was able to discern the first name as "Billie".

Statement of Victim

"About 2:30 Tuesday afternoon I was in the kitchen preparing a Christmas cake when some one knocked at the door. When I answered I saw it was a white man.

Wife Was Suspicious Of Husband, He Is Arrested For Murder

BOULDER, Colo., Nov. 24—(AP)—Officers quoted a slender 31-year-old metal worker as saying last night that he disposed of the body of Theresa Foster, but that she was murdered by a "blond, chubby" boy friend.

Miss Foster, an 18-year-old Colorado University freshman, was raped, bludgeoned and strangled the night of Nov. 9.

The metal worker, Joseph Walker, was taken into custody Sunday after his wife told police she was "suspicious" of her husband.

District Atty. Hatfield Chilson, who, with Sheriff Art Everson, received Walker's statement, said he would file a charge of murder.

* * *

CHILSON'S ACCOUNT of the Walker statement included these details:

Walker drank five or six beers the night of the murder, then was cruising around Boulder in his Buick coupe when Miss Foster and her companion asked for a ride and he obliged.

Walker had never seen either of them before.

The girl's companion asked Walker to drive out Lee Hill Road, a lover's lane near here. Then the man insisted that he be allowed to drive. Walker objected and a fight followed. The man reached in the glove compartment of the car and grabbed Walker's .45 Army automatic pistol. Walker jumped out of the car and the man followed, chopping savagely at his head with the butt of the heavy gun. Miss Foster remained in the car.

"He finally caught me a lick on the head.

"When I woke up I was blood all over. I got off the road and went back to the car and saw the man was gone. I saw parts of the girl's body sticking out the trunk of my car.

"The body was half naked and there was blood all over the inside of the car."

THE STATEMENT QUOTED Walker as saying he drove aimlessly for a while and finally dropped the body over the railing of a bridge, the district attorney reported.

The girl's body was found Nov. 11 under a bridge nine miles south of here.

Youth Admits Giving Nurse Fatal Beating

LITTLE ROCK, Ark., Sept. 24 (AP)—A youthful automobile mechanic drove on to Little Rock police headquarters here with the

went further and wanted to fix it so the culprit could never get a parole or a pardon, but there the judge called a halt.

This is a heartening decision and indicative of the gradual change that is taking place in the appreciation of justice in the South in interracial cases of this kind.

True, the change has been much too gradual to please us, but there can be no doubt that a change is being made, and it would distort the picture of life in the South today if it were not duly recorded and commended.

Justice to be true justice must be blind

Miracle in Alabama

IT IS not only big news when an Alabama jury convicts a white man of the crime of raping a colored girl but it is a miracle.

That's what happened in Wetumpka, Ala., last week when an all-white jury sent a white man to prison for forty-five years for committing this crime.

The white prosecutor urged the jury to show the Negro "that he can get justice in court," and the jury did its utmost to demonstrate the fact. The white jury even

Tells AFRO Brother 'Off'

Also, May Take Her Life

Bares White Family Life

Mrs. Hunter told several stories of the conditions existing in the Wise family, with whom she and her husband have been closely connected for many years. She said:

"Once the Wise brothers became angry with a colored boy who lived here, and they ran him through the woods for several hours, threatening to kill him. Finally the boy, exhausted, climbed a large oak tree.

"Unable to climb the tree, the white boys decided to cut it down. One stood guard while the other went to the house and got an ax. They cut all afternoon on the

SMITHFIELD, N.C.—Paul Wise, 15-year-old white man, charged with assault and attempt to criminally attack a four-month-old baby, was sent to the State Insane Hospital last week.

large, hard oak tree, while the colored boy cried and prayed.

"When the tree was about to fall, someone came and rescued the [illegible]

Ponders Future

Other stories related by Mrs. Hunter indicated that the mentality of both white men probably justifies the jury's decision in Paul's case.

"One of them has already messed up," Mrs. Hunter stated, then asked, "Will they let the other one stay here until he criminally attacks somebody's child or kill someone?"

Sex Crimes Suspect Held In Lonely-Road Slaying

WOODBURY, N. J.—(UP)—A Philadelphia man, originally picked up in connection with a series of sex crimes, was indicted yesterday in the lonely-road slaying of 16-year-old Alberta Sharp.

Waiving extradition to New Jersey after his arrest in Philadelphia Wednesday night, Alfred H. Collins, 37, a Negro, was questioned in the killing of Miss Sharp near Jefferson, N. J., last Sept. 5.

Then a ballistics expert, State Police Sgt. Hugh Boyle, reported that a bullet fired from Collins' .22 pistol bore tracings identical to the one which killed the girl as she returned home from her Summer job. The indictment followed.

The indictment, marked the latest in a series of fast-breaking developments which began when Collins was picked up outside his home 42 hours earlier.

At the time, New Jersey authorities said they wanted Collins, a soft-spoken former marine, for the abduction and rape of three women and a girl, and the shooting of the boy friend of one of them in a lovers' lane.

Delware police also sought Collins. They said he raped a Wilmington girl last July 31 after tying up her escort at gunpoint and on August 8 beat a young Army captain and raped his wife near Greenwood. In Delaware, rape is punishable by death.

The young Delaware couple was Maynard L. Moore, Jr., 21, Lendemere, Del., and Mary E. Dietrich, 18. They identified Collins in a Philadelphia police lineup Thursday night, absolving William A. Jackson, 35, another Philadelphia Negro, who had been accused of the crime. Jackson strongly resembles Collins.

New Jersey police said Collins had been identified as the man who:

Kidnaped and attempted to rape Mrs. Myrtle Robbins and her daughter, Florence, 14, Port Norris, on Nov. 8, 1947.

Raped Mrs. Nancy Magliocco, 28, after trussing her husband in their Malaga farm home, Aug. 2, 1948.

Shot Russell Merritt, 27, Bridgeton, and raped his companion, Mrs. Ella H. Mason, 29-year-old Millville divorcee, last Oct. 17.

Free Press Photo

SHARON AUSTIN
Heroin was the villain of the story

Blond Gives Details of Fatal Dope Spree

A 23-year-old blond model and confessed former dope user told in Recorder's Court how her girl friend died during a narcotics spree in a strange apartment.

She is Sharon Austin, of 13391 Braile, a principal witness in the trial of four Negroes charged with involuntary manslaughter in the death last Feb. 21 of Irene Ash, 23, of 2610 Webb.

The defendants are accused of contributing to Miss [illegible] death by [illegible] the two girls took in injections at the apartment of James Mayfield, another Negro, of 2975 E. Grand Blvd.

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ON TRIAL are Russell Colvin, 34, of 86 E. Forest; Sam Burton, 42, of 211 Theodore; Harry Long, 58, of 267 Alfred, and Richard Johnson, 50, of 219 Winder.

Mayfield is a witness.

Miss Ash's nude body was found sprawled on the bed by medical examiners called by a physician.

Her death was attributed to respiratory paralysis caused by the powerful drug. She had been raped, examiners said.

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MISS AUSTIN, a Chicago modeling school student, related before Judge John J. Maher that she had accompanied Miss Ash and Colvin to the strange apartment for a narcotics "jag."

She said she had been introduced to drugs by Miss Ash, whom she called a confirmed addict. Both girls had become acquainted with Colvin at "jam sessions," she said.

At the apartment, the pretty model related, Colvin gave each girl an injection of a mild drug that failed to produce results.

HE LEFT TO procure a supply of heroin, she said, while the girls went into the neighborhood and borrowed $24 to pay for it "through a hard-luck story."

"The heroin knocked Irene out," Miss Austin said.

Police who questioned Miss Austin the next day said she still was hazy from narcotics. Miss Austin claims to have been cured since then.

Assistant Prosecutor Arnold Monash charged that Burton, Long and Johnson helped Colvin procure the fatal narcotic and are equally responsible in Miss Ash's death.

He termed the legal aspects of the case among the most unusual in Michigan criminal history.

Tried Raping Race Woman, White Man Gets 20 Years

(Special to The Courier)

TAMPA, Fla.—An all-white jury took just twenty minutes to convict Irving F. Brown, a 34-year-old white rural Tampa dairy worker, on charges of assaulting with intent to rape a 25-year-old Negro woman last Oct. 3. The white man was sentenced to serve twenty years in prison for his offense by Criminal Court Judge Roy Amidon.

The young woman testified that the general feeling prevailed that the attempt was made on her by he would take the sentence and the white man while he was driv-seek freedom through parol within ing her to his own home to work a few years in the same manner as She told the court that she broke is expected in the case of the two away from him and made her way white men convicted and sentenced to the home of a white family in Alabama last week for attacks which sheltered her. upon two Negro women.

After his arrest, Brown denied the attack, a deputy sheriff testified, but later confessed that he had committed the act.

Indications were that no appeal would be filed by the white man from the sentence imposed [illegible]

7806

Atlanta Man Held for Rape Of Child, 12

BRUNSWICK, Ga.—Police last week were holding a 23-year-old white man charged with the July 3 rape of a 12-year-old Negro girl. The white man, listed by police as Ray D. O'Juinn, was charged with assaulting the victim after luring her and two companions into his car on the ruse that he wanted them to help him clean his house.

COMPANIONS FLED

The two companions fled after the white man drove to a spot on an old railroad right-of-way. The victim could not get out of the car.

The victim's companions who fled the scene telephoned officers who went to the reported scene. A chase of the white man's car resulted. The girl was pushed from the vehicle when the driver made a brief stop, but police captured him shortly afterwards.

Instead, the sheriff quoted her, Dean took her to the woods, spread down a blanket and raped her repeatedly Friday night.

The next morning, she said, he drove near her home, let her out, and warned her not to tell anyone.

Give White Suspect From 2-to-5 Years On Attack Charge

BRUNSWICK, Ga.—(SNS)—A 23 year-old white man, Ray D. O'Quinn, was given two-to-five year sentence here Tuesday when found guilty of criminally attacking a 12-year-old Negro girl.

The alleged assault occurred on the old G. C and P right-of-way on last July 3 and, according to Police Chief Russell B. Henderson, O'Quinn was apprehended shortly thereafter by patrolmen who chased his fleeing car.

The young girl declared in a statement that O'Quinn threatened to do her bodily harm if she desisted in his desire. She claimed to have been walking with two other girls when the accused stopped them and asked if they would help him clean his house. When stopped by the accused they were reportedly selling pies for a church.

Climbing into O'Quinn's car, the girls were said to have ridden with the accused to the spot where he committed he alleged act. The two companions reportedly fled and called police.

Chief Henderson said O'Quinn pushed the victim from his car during the chase by police.

Assisting Solicitor General Glen Thompson in prosecuting the case was Atty. William Ringle. Defense attorneys were E. E. Nathan and Wesley Jernigan.

scene of the crime shortly after he had committed the outrage. He was attempting to flee police summoned by friends of the attacked girl, testimony disclosed.

Victim Church Worker

A statement from the ravished girl set forth that she was walking with two of her companions when the accused man stopped abreast of them in his car and asked them if they would help him clean his house.

When stopped, it was asserted, the girls were engaged in selling pies for the benefit of their church.

Climbing into O'Quinn's car, the girls were driven to the spot where the attack subsequently occurred, the statement continued.

Threatened With Bodily Harm

The companions of the mistreated girl stated that they fled when the man threatened them, and immediately informed police of the impending attack.

The victimized girl's statement disclosed that she was told she would be injured if she refused to submit to the accused man's desires. She was pushed from his car during the police chase, it was revealed.

Solicitor General Glen Thompson, assisted by Atty. William Ringle, prosecuted the case. Defense attorneys were E. E. Nathan and Wesley Jernigan.

them in a soldier's uniform.

The youths induced the girls to take a ride with them. They had not gone far, said Bradford, when the actions of the young men frightened them. The Birmingham girl jumped out of the car at Hemphill Avenue and called City police. The car then sped out to DeFoor Avenue where police said the other girl was assaulted.

The girl called City police from a Spring Street address. City Radio Patrolmen R. H. Fleming and R. E. Nickerson broadcast a lookout for the kidnap car. Later, they received a call from a DeFoor Avenue address and found the Chattanooga girl. They took her to Grady Hospital.

The place of the alleged assault was outside the city limits and the City police turned the case over to the County.

County police quoted Grady doctors as saying the girl had been criminally assaulted with brutality.

Cpl. Cates, 24, Gets 20 Years For Assault

For criminally assaulting an 18-year-old Atlanta girl, Cpl. William S. Cates, 24, of Fort McPherson, was sentenced yesterday to serve 20 years in prison by Judge Virlyn Moore, of Fulton Superior Court. Cates entered a guilty plea.

The day before Judge Moore had declared a mistrial when the jury was deadlocked. Before the trial Cates sought to enter a plea of guilty, but this was turned down when the girl's father demanded the case go to the jury.

The assault which Cates admitted took place near the ball park on the night of June 23. At the trial Monday, Cates said he had been drinking and did not remember what happened.

BUCHANAN, Ga., July 13—(AP)—A 38-year-old married farmer is held without bond, sheriff Grover C. Newnan announced, on a charge of detaining a 13-year-old neighbor girl in the woods all night and raping her.

The sheriff said the man is Ray Dean and he would be kept in jail until the Grand Jury meets Monday. He quoted Dean as saying he drove the girl home, but did not rape her.

Newnan said the girl told him she was watching her father and Dean work Friday and that when her father left, Dean offered to take her home in his car.

Girl Attacker Given 2-Year Term in Ga.

BRUNSWICK, Ga. — Ray D. O'Quinn, a 23-year-old white man, was given only a two to five year prison sentence here on Sept. 21, when found guilty of criminally attacking a 12-year-old colored girl, a crime which would have led to his execution, had the principals been reversed in race.

The trocious attack occurred in an automobile on a railroad right-of-way on last July 3, according to Chief of Police Russell Henderson.

O'Quinn was arrested while driving rapidly away from the

Attack Suspects Seized

Two young white men have been arrested in connection with the abducting of two girls at the Atlanta bus station and criminal assault of one of them, Fulton County Police Captain Fred Bradford said last night.

The two were identified as Roy Bennett, 24, of a Simpson Street address, and John Marvin Berry, 22, of Martin Street, S. E. A third youth picked up in connection with the abduction has been released, Bradford said.

Berry was identified by the girls as one of the assailants and named Bennett as his companion, county officers related.

Capt. Fred Bradford, investigating the case, said the girls were 19 and 21 and that one was from Mobile and the other was from Chattanooga. They were waiting at the bus station to continue their journey to Knoxville, Tenn., Bradford said. While waiting, he continued, they made the acquaintance of the young men, one of

7807

Girl Accuses 'Detective' of Attack Attempt

The Constitution
Atlanta, Ga.

A 17-year-old girl told police yesterday a man posing as a city detective came to her home, forced her boy friend to leave, then instructed her to get into his car and attempted to assault her.

The man approached her and her boy friend in the restaurant, the girl told Patrolmen L. A. Schnall and L. J. West. She said he followed them to her home at 542 Formwalt St., S. W., and as they reached the porch he told her escort to "go home."

Posing as a detective, the girl said, the man instructed her to get in his automobile because "I am going to lock you up." 2-16-48

Driving to a secluded spot on Lindbergh Dr., N. E., she related, the man stopped the car and attempted to assault her. She said he struck her on the head with his fist when she resisted and screamed. The Constitution

The girl said she managed to escape. She was picked up by Fulton County police and brought to the City Police headquarters.

She described her assailant as about 33 years of age, wearing a gray suit and brown and white tie. She said he was driving a late model, light blue coupe.

Sex Plaints Jail 3, With Two Sought

The Constitution
Atlanta, Ga.

Three attempted criminal assaults are being investigated by police who are holding three white youths accused in one of the complaints.

A 15-year-old married girl told police three youths enticed her into their automobile Saturday night asking her to aid them in a search for her girl friend. She said the youths drove out to Sweetwater Creek and twice attempted to assault her. Upon returning to Atlanta, after she twice got out of their car and later returned when they promised not to molest her, the girl said the youths drove to a point on Fifth Street, N. W., where they again attempted to attack her. She said she jumped from the car and fled to a near-by automobile and that the motorist in the second vehicle took her to her home where she called police.

As a result of information furnished them, police arrested Troy Ward, 20, of an Echo Street address; Samuel Howard, 19, of a Tifton Street address, and a third youth who was only 15 years old and was taken to the Juvenile Detention Home. Lewis and Ward are being held at Police Headquarters without bond on suspicion of attempted criminal assault.

A middle-aged woman living on Memorial Drive said she was attacked Saturday night as she walked on Butler Street, S. E., only half a block from Police Station. 2-19-48

The woman said she fainted and the next thing she knew she was walking on Dogwood Road in DeKalb County. She could not give police a description of her assailants. Mail 2-19-48

The third attack reported to police as occurring about 3 a. m. yesterday in an apartment on North Avenue.

The occupant of the apartment told police she reached her home from work at 3 a. m., and, upon entering the apartment, found a Negro man lying in her bed and drinking. She said the Negro jumped up and grabbed her but she fought him off and as he ran from the apartment she threw a liquor bottle which the Negro had left in her room and struck him with it.

7808

POLICE WAIT CHANCE TO QUIZ SEX KILLER ON DEATH OF BOY, 6

Police yesterday were waiting for a chance to question Roy Adams, 14, held incommunicado in the Juvenile home for the sex slaying of a 8 year old girl, about his connection with the mysterious drowning of a boy playmate in Kewaunee, Wis., three years ago.

Juvenile authorities declined to admit Detective Sgt. Thomas Owens of the Racine avenue police to the home to question Adams, who Wisconsin authorities have asked that the inquiry into the drowning of Wallace Leyse, 6, of Kewaunee, be reopened and expedited. Leyse was drowned in Lake Michigan on June 7, 1945, while playing with Adams, who later was found to have pocketed a toy pistol belonging to the dead boy.

Adams smothered Nancy Schuler, another playmate, who lived across the hall from his home at 1164 Grand av. last Thursday and fled after molesting her sexually. The Wisconsin drowning occurred while Adams was visiting relatives at Kewaunee.

SUSPECT IS SEIZED AFTER WIFE OF GI IS RAPED IN PARK

Victor Bytner, 22, of 6337 N. Linder av., a laborer, was held as a rapist suspect by police yesterday after a young woman who had been assaulted in Humboldt park early in the morning identified him as her assailant. He denied the charge.

The victim, a waitress whose husband is in service overseas, was passing thru the park when a man seized her, threw her to the ground, and raped her. Her screams attracted Park Policeman William Mawrer. He saw the rapist fleeing and fired two shots but the rapist escaped.

The young wife gave police a clew when she said she had seen her attacker standing in front of a tavern just before she entered the park at Division st. Police questioned the tavern owner, who identified the man and said he worked for a trucking concern in the 2500 block of Division st. Police went there and found Bytner sleeping in a truck.

Killed Girl, 10, Marijuana Smoker Says

CHICAGO — (AP) — An admitted marijuana smoker signed a statement yesterday in which authorities said related in vague terms the assault-strangling of 10-year-old Roberta Rinearson.

He is Herlindo Perez Arias, 31, a Chicago laborer and naturalized citizen of Mexican birth. He was picked up by Hammond police early Monday, roaming aimlessly along a Hammond highway.

Arias attempted to escape when police turned him over to immigration authorities for investigation. While being questioned about his citizenship status, he suddenly blurted out: "I choked that girl."

Arias was brought to Chicago for further questioning.

Authorities did not say immediately how much they believed his story.

One of the hottest clues police had was a man's handkerchief found near the girl's body Saturday bearing the initial "P."

The body of the Rinearson girl, a Parochial School pupil, was found in a lonely ditch near a cemetery between Chicago and suburban Hammond early Saturday morning.

7809

SEX MOTIVE IN CHILD'S SUFFOCATION

Lad Tells of Slaying 'Little Doll'

CHICAGO, May 28—(AP)—Husky, 14-year-old Roy Adams related Friday he had a sex motive in the suffocation-slaying of an eight-year-old girl playmate, State's Attorney William J. Tuohy reported.

The boy made the statement to Tuohy and his assistants after admitting the slaying to a coroner's jury.

He said earlier he smothered the girl with a pillow "because she wanted to borrow too many of my comic books."

"She screamed for five minutes, then her body went limp," the boy, Roy Adams, told police.

The victim was curly-haired Nancy Schuler, who lived with her father, stepmother and half sister in a near Northwest Side apartment. Because of her petite size and cute manners she was known in the neighborhood as "The Little Doll." The Schulers live across the hall from the Adamses.

No charge was filed against the boy. However, after he admitted the assault at an inquest the Coroner's jury recommended that he be held to the Grand Jury on a murder charge.

The girl's body was discovered Thursday, lying face down on a bed in the Adams boy's bedroom. Piled on top of her were pillows, blankets, a chair and a bookcase. A Fire Department squad worked nearly two hours in a futile effort to revive her.

Thursday Nancy, chewing on a stalk of rhubarb, went to the Adamses, where Roy and Donald were alone, to borrow some comic books. Roy became angry because she wanted "about 10" books. He began twisting her arm. Donald tried to stop his brother, but Roy told him, "You go to school."

When Donald left, Nancy threatened not to play with Roy any more. Roy pushed her onto the bed, face downward, pressed a pillow over her head, placed his knee in her back and kept pushing down for several minutes.

The youth then changed from overalls into his suit and called to her. When she didn't answer he piled the other articles over her, took $42 of his mother's money, two comic books, and left.

Police arrested Roy on an elevated train. He said he had been riding aimlessly back and forth on the train all night because "I felt something was wrong."

Roy Adams, until recently, attended a school which provides special training. His parents George, 48, and mother, 37, were at work when the girl died.

The victim's divorced mother is Mrs. Ruth Kratzer, 27, a waitress in the General Hospital at Allentown, Pa. She hadn't seen her daughter in two years, police said they were told.

Lt. Patrick Coughlin said the investigation was thrown off stride for a while when Roy's brother, Donald, 9, who discovered the body, pretended he was the slayer.

Lt. Coughlin said Roy, who weighs 160 pounds and is five feet seven inches tall, gave this account:

Roy and Donald had known Nancy and her sister, Louise, 6, for a year. They often played "house"—the boys pretending they were the fathers and the girls the mothers.

7810

Father In Shame Kills Raped Girl and Self

Nashville, Ind., May 4(U.P.)—Raleigh Blume, 55, aparently despondent because his 16-year-old daughter was raped by three men, fatally shot the girl, then killed himself, police reported today.

The body of the girl, Elsie, was found in the log cabin near here where she and her father, a carpenter, lived alone. The father's body was found near the cabin.

Oddie Swift, 24, Brown County farmer, was held on a charge of being one of the men who raped the girl Friday night in Brown County State Park.

Juvenile Center Head Held in Rape of Inmates

Indianapolis, Ind., Sept. 11 (U.P.)—Edwin B. Lowell, 39, superintendent of the county juvenile detention center, admitted today he had been intimate with three teen-age girl delinquents placed in his charge.

Lowell, father of two small children, was held in jail in default of $10,000 bond on a charge of statutory rape, involving a 15-year-old. He named her and a 17-year-old girl in a brief confession and said he would make a formal statement concerning intimacies with a third girl "as soon as I can recall her name."

In his confession, Lowell said both the 15-year-old and the 17-year-old suggested the intimacies and he accepted their overtures "to avert trouble as the result of their emotional problems."

Lowell, a social workers of considerable standing, formerly was a Chicago boys' club supervisor and was an American Red Cross field director in the Pacific during the war.

7811

Falmouth Man, 21, Indicted for Rape

Special to The Courier-Journal.

Falmouth, Ky., Jan. 12.—Pendleton County grand jury today indicted Charles Warner, Jr., 21, of Falmouth, on a charge of rape in connection with an alleged criminal assault on a young Falmouth girl.

Warner is in Williamstown jail. He will be arraigned tomorrow morning before Judge J. C. Redman, of Cynthiana, in Circuit Court here and date will be set for his trial on the rape charge.

Girl Again Fails to Be At Rape Trial At Lexington

Lexington, Ky., May 11 (AP)—Trial of Robert White, 27, accused of rape in connection with the alleged attack on a 16-year-old girl, was postponed again today. White posted $1,000 bond for his hearing May 25 in the court of Magistrate Foster Beatty. The magistrate said the complaining witness failed to appear in court when the hearing first was called on Monday and then again today.

Lodger Held In Raping Of 6-Year-Old

Central Kentucky Girl Attacked, Doctors Say

A rape charge involving an attack on a 6-year-old girl was placed against Charles A. Bolton, 30, of 217 E. Jacob, yesterday.

Detectives Roy Myers and A. J. Miller of the Louisville Police Department said the attack took place at 3:30 p.m. in Bolton's quarters in the rooming house where the child and her parents were visiting. The child's family is from Central Kentucky.

The detectives said Bolton neither confirmed nor denied the child's story of the attack. They added, however, doctors at General Hospital who examined the girl said she had been attacked.

Say Suspect Fled.

The detectives said Bolton fled from the house when the child's mother called her and the girl ran downstairs crying. Bolton was found walking in the 700 block of S. Shelby 2 hours later.

Police records show Bolton was arrested on a rape warrant in August, 1944. The charge was filed away because Bolton was in the Army at the time, records show.

Woman Attacked, Robbed Under Threat of Icepick

A 21-year-old Louisville woman early yesterday told police a man who threatened to kill her with an icepick forced her into the back yard of her home and raped her.

Police said that an examination at General Hospital disclosed that the woman had been molested.

The woman said she had just got off a bus at Cecil and Broadway at 11 p.m. Saturday and was walking toward her home when she noticed the man. She said he started following her and caught up with her near her home. The man placed the icepick at the back of her neck, she said, and warned, "Don't scream, or I'll kill you." He then forced her into the back yard, raped her, and fled with her purse containing $1, she said.

Two other Louisville women reported to police that a man using a pistol attempted to detain them just after they got off a bus at Meridale and Southern Heights at 1:20 a.m. yesterday.

An hour later, Detectives John Morton and Arthur Klingman arrested James A. Heleringer, 24, of 654 S. 44th, at Fourth and Broadway in connection with the incident. The women, Mrs. Lois Morgan, 4503 S. First, and Miss Anita Day, 1367 S. Fourth, later identified Heleringer as the man.

Heleringer was charged with detaining women, carrying concealed a deadly weapon, and pointing a deadly weapon. Police said he refused to discuss the incident with them.

Bus Driver Is Jailed On Charge of Rape

Pineville, Ky., Sept. 13 (AP)—Ed Howard, 30, a bus driver, was jailed yesterday on a rape charge in connection with an alleged attack upon a 16-year-old Bell County girl, County Attorney Marvin Wilson reported.

Wilson said the attack took place yesterday morning near the girl's home. A physician reported an examination indicated the girl had been raped.

Hazard Man Held In Rape Of Cousin, 15

Hazard, Ky., Nov. (AP)—Harry Coons, 30, was in Perry County Jail here today charged with the rape of his cousin, a 15-year-old student at Buckhorn Academy, County Judge Witt said.

Judge Witt and Sheriff Elmer Holliday reported that Coons went to the school yesterday and told officials his grandmother, with whom the girl lived, was seriously ill and he had come to take her home.

The officials said the car was driven by Arlie Fields, a Perry County schoolteacher, and that Coons assaulted the girl after he had told Fields to drive onto a side road. The sheriff said Fields did not know the purpose of the drive and was not being held.

Holliday reported that the girl escaped from Coons and ran to the near-by home of Deputy Sheriff Jonah Morris, who found Coons and arrested him.

Disk Jockey Held for Rape To Grand Jury

'Jeep' West Admits Relations With Girl

Lexington, Ky., Dec. 27 (AP)—G. P. "Jeep" West, 23, was held to the Fayette grand jury today without bond on a charge of raping a 16-year-old girl fan of his radio hillbilly record program.

At an examining trial before Magistrate R. L. "Doc" Jackson, the disk jockey admitted he had intimate relations with the girl, but he said she was receptive to his advances.

He also testified the girl told him voluntarily that she was 18 years old, and that he drove her to the scene of the act near the Shandon farm on Russell Cave Pike after she told him she was interested in horses as a hobby.

Attacked Her Twice.

The girl related that she appeared on West's 15-minute program over WKLX, where he was working without pay on a trial basis, at his invitation. She testified that she became scared of West "because of the way he looked at me" in the radio studios.

The girl said West drove her to the scene of the alleged attack over her protest after the radio interview. She stated that the disk jockey attacked her once in the automobile and again behind a fence. She said he pushed her from the top of the fence.

She said he drove her home afterward and quoted him as saying several times: "Remember, if you tell, what will happen to my program."

Both the girl and West testified that they became acquainted when she mailed a postcard to him requesting the playing of a record on the program.

Said He Was 'Ashamed.'

A sister of the girl testified that West admitted to her having relations with the girl. She said he told her he was "ashamed of myself."

West was returned to jail to await action by the grand jury which will be convened January 12.

Meanwhile, County Judge W E. Nichols ruled that one of two men charged with raping and shooting two Madison County women could be released on $15,000 bond.

The judge said he would permit Collie Day, 21, Fayette County, to execute $15,000 bond for his trial January 14 in connection with an attack December 19 on Ruth McHone, 25, Bobtown, Madison County, and Ida Mae Harrison, 22, Berea.

Kimber Maggard, 28, of Leslie County, who faces similar charges in connection with the case, did not ask for bond.

Berea Girl's Charges Hold 2 In Richmond

Richmond, Ky., Nov. 29 (AP)—Two Richmond youths were held under $5,000 bond today, County Judge J. L. Matherly said, on the complaint of a 17-year-old Berea girl was charged she was raped early yesterday.

The judge said trials would be held Thursday for the accused youths, Ebb Rucker and Homer Jennings, both 19.

He said the girl charged Rucker raped her in a car near Berea yesterday morning. She said Jennings did not assault her, but did nothing to prevent the attack by the other youth, the judge reported.

7812

Crime Roundup

Manhunt Successful

OPELOUSAS, La., July 13—(AP)—Sheriff Clayton Guilbeau today held two brothers who confessed they raped a 21-year-old woman whose male companion, Albert Couvillion, of Melville, was beaten and shot to death.

Almost identical confessions were made by the brothers, identified by Guilbeau as 23-year-old Matthew Cook and 24-year-old Joseph Cook. Both said that they had attacked the woman, both said they had beaten Couvillion, but each said the other had fired the fatal shots.

The story told by the brothers followed that told by the woman. As she had related it to officers, she and Couvillion, a retired naval lieutenant, had stopped near Melville early Sunday while driving from a dance. Two men forced them to drive to a wooded lane where they beat Couvillion, then raped her in turn. Couvillion was shot in the back twice.

Matthew Cook, first of the brothers to be arrested, was found in Melville, near the scene of the crime, about noon Sunday during a gigantic manhunt. Estimates of the posse ranged from a few hundred upward to "thousands."

Physicians who had examined the woman expressed belief that she had not been attacked, but she would not change her story.

Joseph Cook was found yesterday morning, sleeping across the river from Melville.

The arrest of the Cooks and their confessions brought the release of all other persons picked up for investigation.

27h(2) 1948

Mississippi

7813

Escapees Facing Mississippi Charges Added Troubles

Connersville, Ind., Sept. 13.—Two Indiana jail escapees facing armed robbery and rape charges in Mississippi have found more trouble in Indiana.

Charges of armed robbery naming Charles Kimery, 23, Martinsville, and Jack L. Blauser, 27, Pittsburgh, were filed in Fayette circuit court by state Police Detective Price Cox.

Cox said he believes the men may have been responsible for a pair of holdups near here on the night of August 31. Descriptions furnished by two Hebron men and three Troy, Ohio, motorists, victims of the holdups in which the robbers got $276, check closely with those of Kimery and Blauser, the officer said.

The robberies occurred after the two men escaped from Vermilion county jail along with 15-year-old Lois Catterson of Clinton.

The three are in Purvis jail awaiting the next session of the Lamar county grand jury. The men face charges of rape and armed robbery filed yesterday by District Attorney Robert Livingston. Miss Catterson also was charged with armed robbery.

The three waived hearing on the Mississippi charges.

27h(2) 1948

Maryland

7814

Associated Press Wirephoto.
HAROLD BEACH, JR.
In Baltimore jail.

Sex Offender Held As Killer Of Girl, 8

Baltimore, Jan. 13 (AP)—A 23-year-old former inmate of a New York mental institution was whisked through legal proceedings here today and in less than 24 hours after his arrest was on the way to Cleveland to face a charge of murder for the knife-slaying of a machinist's 8-year-old daughter.

Nonchalantly chewing gum, Harold Beach, Jr., waived extradition and was delivered to the custody of two Cleveland detectives.

The detectives had with them a statement in which they said the bespectacled youth admitted stabbing to death Sheila Ann Tuley.

Saw Double Feature.

At news conferences, Beach told of picking up the girl on the street after he watched a movie double feature—"Savage Love" and "Native Bride." He said he led her into an alley and stabbed her in the back when she started to scream.

Cleveland Detectives Arthur Willard and David Kerr said they first started to hunt Beach after discovering he had a record of criminal sex offenses and had disappeared the day after the killing. Beach had served five years in an institution at Napoch, N. Y. He was released last March.

The slightly built youth said he came to Baltimore to visit his mother, who was separated from his father when he was an infant. His mother was questioned for two hours today, at the end of which she tearfully kissed her son good-by and was half-carried from police headquarters.

Baltimore police arrested Beach yesterday at Cleveland's request at a filling station where he went to work last Saturday.

Asked how he felt, Beach said: "Well, I'll just have to go back to Cleveland) and see what happens. The most I can get is death—so what?"

Md. Farmhand Admits Attack on Girl

Hagerstown, Md., Nov. 23 (AP).—Charles Andrew Wolfe, 34-year-old farmhand who is married and has three children, pleaded guilty today to a charge of assault with intent to rape a 16-year-old girl.

Under an unusual Maryland law, Wolfe still faces the possibility of a death sentence, despite the fact that the State did not elect to fight for a conviction on a straight charge of rape. However, the extreme penalty is not usually imposed under the charge of assault with intent to rape.

A defense attorney told Judge Joseph D. Mish that Wolfe is "not without a sense of responsibility toward his obligations" to the girl, who is an expectant mother. At the same time, the attorney said, the girl "hung around the barn" where Wolfe was working and perhaps was not entirely blameless.

White Assaults Race Woman: Gets 10 Years

BALTIMORE, Md.—(NNPA)—Judge Herman M. Moser in criminal court last week sentenced John I. Brilhart, Jr., 23, white, to 10 years in the penitentiary on an assault charge involving molestation of a colored woman last Dec. 32, while he was working as a bus driver for the Baltimore Transit Company.

Several reports filed with papers in the case showed past complaints against Brilhart of assaulting colored women. One had been on a bus of the transit company, and another had been while Brilhart worked for the gas and electric company.

Two psychiatrists had examined Brilhart. Dr. Jacob H. Conn, acting court psychiatrist, reported that he is "a sexual-psycopath" and affected by "sexual immaturity," characterized by "excessive cleanliness."

Judge Moser rejected a plea by Michael F. Freedman, defense counsel, that Brilhart be given an indeterminate sentence in the reformatory. He said psychiatric treatment might result in Brilhart becoming a suitable person to be released into civil life, but that psychiatric treatment should be given him at the penitentiary.

The case did not involve "an ordinary assault, but a most indecent assault," said Judge Moser, who had directed Brilhart's acquittal on a count charging assault with intent to rape.

The charge against Brilhart had been made by a 33-year-old married woman, who declared that the man molested her after he had driven her toward her home in a bus.

She was the lone passenger. Her complaint to the police was not made for several days. She had gone first to the National Association for the Advancement of Colored People.

7815

Trumpet Player Admits Slaying Cleveland Girl

BALTIMORE, Jan. 13—(AP)—A slender filling station attendant who likes to play the trumpet told Baltimore police last night he killed 8-year-old Sheila Ann Tuley with a kitchen knife in Cleveland New Year's Day when she resisted his advances.

"She began to scream and I lost my head," Harold Beach, Jr., 23, recounted to detectives and newspaper men.

The little girl's body, the dress torn and covered with blood, was found on a neighbor's porch, less than a block from her house.

She had diseappeared earlier in the day while on her way to a drugstore to get cigarets for her father, Edward J. Tuley.

Beach, a bespectacled 140-pounder, was arrested yesterday while changing a tire at a filling station where he had worked since coming to Baltimore Saturday.

Asked if he understood what he had done, Beach shrugged his shoulders, grinned wryly and replied:

"The most I can get is death—so what?"

Tuley, a 34-year-old machinist, said in Cleveland when told that Beach had confessed:

"If it is at all possible, I want to witness his execution. . . . Several days ago I was quoted in the papers as saying that I hoped the individual who killed my child died as horrible a death as she did. If this man is the killer, that still goes."

Beach said "before all this happened, I wanted to be a musician—to play the trumpet." He told how he had learned to play the instrument while serving in a New York state institution for delinquents from 1941 to March, 1947.

Beach declined to state why he had been confined, but Cleveland police said they had learned he had served a term for a sex offense on an 11-year-old boy.

Beach gave the following details:

Around 1 p.m. on New Year's Day, Beach went to a motion picture show. It was a double feature —"Savage Love" and "Native Bride."

He then returned home, took a kitchen knife, and once more walked

He met Sheila Ann on the way to a drugstore to get cigarets for her father.

He gave her a quarter, took her up an alley and into a back yard.

After the stabbing—"I struck her in the back near the ribs"—he put the knife in his raincoat pocket, ran home and washed the weapon. Later that night he returned to the alley to see if he could "help" the girl.

She was gone. She evidently had managed to crawl to the porch from the backyard.

An investigation into Beach's whereabouts was started when it was reported he disappeared the day after the slaying.

7816

Long Sentence Given in Attack

Detroit, Mich.

Ellsworth Roberts, 32, of 686 Marlborough, was sentenced by Recorder's Judge John J. Maher to 7½ to 15 years for rape and three to five years for gross indecency. Ent. 5-29-48

Roberts was convicted on both counts April 15 in connection with the rape of a 27-year-old woman on Jan. 31 whom he met in a bar on Jefferson and later attacked in her apartment. Mich

The sentences will run concurrently. Judge Maher denied a motion for new trial.

Eight Mile, threatened her with a knife. Mich

RECORDER'S Judge John P. Scallen sentenced Herman Collins, 21, of 5602 Talbot, to four months to a year in the Detroit House of Correction for assault with intent to rape.

Collins was accused of attacking a 22-year-old woman in a garage at the rear of 5605 Casmere.

DETROIT COPS SUSPENDED IN RAPE OF 16-YEAR-OLD GIRL

Daily Worker Mich 8-4-48

New York, N.Y.

DETROIT, Aug. 3.—Two patrolmen here were suspended on charges of raping a 16-year old girl.

Patrolmen John H. Lieber and Quentin Neumann were suspended on the charge that they assaulted the 16-year-old girl in a parking lot. Patrolmen Paul Quandt and Peter Winter were suspended on charges of attempted seduction of the same girl. Fed 27h(2)

All four officers come from the McClellan St. Station which recently was in the news when a desk sergeant told United Auto Workers leader James Cichocki, that "the next race riot, I'll kill every black b---- and you too."

Cichocki stopped police beating a Negro youth over the head with a flashlight while the youth was handcuffed and had his feet manacled. The police sought twice in court to have Cichocki sentenced for "assault and battery." Both times the case was thrown out of court.

JUDGE RAPS BEATINGS

In two court cases recently the police department has been denounced by judges on the issue of brutal beatings against prisoners. In one case the prisoner was so badly beaten that he had to spend four days in the hospital and could not see.

Meanwhile police admit that in Detroit a $50,000,000 a year gambling ring is operating in 100 spots, but protest that nothing can be done because there are only four men on the Rackets Squad. Fed.

When Police Commissioner Toy was presented with the facts by newsmen four weeks ago and shouted that "something will be done." No arrests have been made and the gambling ring is still operating. 8-4-48

Toy meanwhile has reconstituted the "Red Squad," demanded maintaining of the mounted police "in the event of riots," and maintained a police Commando Squad of 100 men armed with tear gas bombs, firearms and riot clubs for "strike duty."

He admited last week that for two days he received an avalanche of phone calls protesting against the police's brutality. He issued a statement calling on his officers "to show more courtesy to the public."

Stepfather Faces Attack Sentence

Detroit, Mich.

Convicted of raping his 15-year-old stepdaughter, John Weiss, 42, of 7733 Lambert, will be sentenced by Recorder's Judge Arthur E. Gordon on Aug. 23.

The girl testified that Weiss had assaulted her on an average of twice a week since she was 11.

2 Sentenced for Attacks on Women

Free Press Detroit, Mich. 27h(2) Wed 11-26-48

Two men were sentenced for assaults on women.

Recorder's Judge George Murphy sentenced Joseph Perry, 35, of 10729 Hinsdale, Ferndale, to one to five years for the rape of a 35-year-old woman on Aug. 14. Perry, who seized the woman as she walked on Northlawn near

7817

Young Bum Hunted In Assault Slaying

27h(2) The Constitution Atlanta, Ga. Mon. 6-14-48

ST. LOUIS, Mo., June 13—(UP)—A detail of 25 policemen combed the city today for a youthful "bum" last seen with a 42-year-old "woman in black" before she was criminally assaulted and brutally slain in a Southside park.

The victim was identified late last night as Mrs. Gladys Taylor Crossley, 42, a twice-divorced mother from Columbia, Mo.

Dressed modishly in black, her ravished body was found yesterday near a clump of bushes in Tower Grove Park. She had been stabbed in the temple with a lead pencil and then beaten and kicked to death. Mon. 6-14-48

Police said a tavern waitress reported that the woman came into a bar late Friday night with a youth about 25 years old who was "dressed like a bum." The waitress said they had several beers and left. The Constitution

Two young persons sitting on the front porch of a house across the street from the park said they saw a protesting woman dragged into the park by a man answering the description given by the waitress. Atlanta, Ga.

The body was found by a young girl out for a stroll who notified park authorities and disappeared without giving a name.

ON THE CRIME FRONT

Father of 2 Held In Assault Slaying

27h(2) The Constitution Atlanta, Ga. Sun. 6-13-48

ST. LOUIS, June 14—(UP)—A young father of two children, identified as the companion of the "woman in black" on the night she was criminally assaulted and killed in a Southside park, was held for questioning tonight.

Acting Chief of Detectives George Parker said it was planned to give the suspect, Leonard M. Bayless, 21-year-old hardware store clerk, a lie detector test.

Bayless told officers he remembered drinking with the twice-divorced Mrs. Gladys Taylor Crossley as late as 9:30 p. m. in a tavern near Tower Grove Park, where her body was found Saturday. But he said he could not recall where or when he left her. Sun. 6-13-48

DEATH AT PENCIL POINT

Woman Assaulted, Beaten, Slain: St. Louis Police Hunt Coatless Man

The Constitution 27h(2) Mo. Atlanta, Ga. Sun. 6-13-48

ST. LOUIS, June 12—(UP)—Police last night sought the man who attacked an attractive woman, apparently drove a lead pencil into her right temple and beat and kicked her to death in a southside park.

The body of the well-groomed woman about 35 years old was found near a clump of high bushes in Tower Grove Park by a young girl strolling along a footpath.

The woman, unidentified hours after the discovery, had been badly beaten about the face. Beside her body lay a broken lead pencil which police said might have been used to punch the small hole found in her temple. Sun.

They said their best clues were provided by a young couple sitting on the porch of a house across the street from the park. The two, Marjorie Buchanan, 17, and Leroy Schneider, 18, said they saw a protesting woman dragged into the park by a man. 6-13-48

Ten minutes later, Schneider said he saw the man kneeling near where the body was found. Then he saw him get up and disappear in the high bushes.

They said they did not report the incident because they heard no sound of a struggle. They identified the body as that of the woman they had seen and said the man was about 30 years old, coatless and hatless and wearing a white shirt and brown trousers. He weighed about 160 pounds. The Constitution

The dark-haired woman, lying on her back with a pair of black panties beneath her body, wore a black satin dress, black shoes and a wide-brimmed black straw hat. A gold band ring was on her right hand, a broken gold necklace around her neck. Atlanta Ga.

Her fingernails were lacquered with a light red polish and her toenails dark red. She wore no stockings. She was five feet four inches tall and weighed 135 pounds. Sun. 6-13-48

After an autopsy, the coroner's physician reported she had died of a severe beating about the head and confirmed that she had been criminally attacked. No weapon was found. Sun. 6-13-48

The young girl who found the body reported to Park Foreman Lawrence Weinrich and disappeared without leaving her name. Weinrich ran about a half mile to a district police station to report the discovery, and all available detectives were assigned to the case.

Thwarted Rapist Given Tar-Feather Treatment

The Courier-Journal (27h(2)) Louisville, Ky.
Jan. 17, 30 - 48

Carlstadt, N. J., Jan. 29 (AP)—A 35-year old truck driver, convicted three months ago of an attempted attack on a married woman, was tarred and feathered last night on the frozen swampland of the Hackensack River meadows.

Police today questioned relatives of his intended victim.

The man, George Schwartz, Newark, stumbled out of the swampland early today, stripped to the waist and smeared with tar and feathers. His nose had been broken and his body was covered with cuts and bruises.

Can't Explain Attack.

Police quoted Schwartz as saying he was abducted by three unidentified men who forced him into his automobile as he was leaving a garage where he is employed. He said he could not explain the attack.

Bergen County Prosecutor Walter Winne said detectives were investigating an anonymous letter to The Passaic Herald-News which linked the assault to irate relatives of the young woman who had accused Schwartz of the attempted attack. Jan. 1-30-48

Schwartz was charged under the State's Disorderly Persons Act and fined $25 after his conviction last November 5 in Lyndhurst Police Court.

Winne said Schwartz had a record of arrests dating back to 1927 on charges ranging from burglary to bigamy and that a copy of his police record had been sent in the anonymous letter.

It Was 15 Above.

On the record form, Winne said, was a penciled notation saying Schwartz had made "his last" attack on women and indicating previous actions would be avenged.

Schwartz is being treated in Hackensack Hospital for exposure, bruises, and possible shock. The temperature at the Hackensack River meadows was 15 above zero when Schwartz was freed by his captors shortly before midnight.

Associated Press Wirephoto.
GEORGE SCHWARTZ
Tarred and feathered.

fendant assaulted him and Dr. Alexander Bendo Sunday when the two visited Auld.

The sheriff said Auld became enraged when the physician asked him to stand. He pushed the doctor from the cell, then seized the sheriff's arm, twisting violently. Two guards subdued Auld.

Say 16 Youths Raped Girl, 15

27h(2) 1948

New York, N.Y.

Sixteen youths were held by Passaic, N. J., police today on charges of having raped a 15-year-old blonde, who ran away from her well-to-do family in fashionable Ridgewood because she couldn't get along with her older sister.

The girl, whose name is being withheld because of her youth, said she had been intimate with 21 men over a three-day period. 6-10-48

Police described the girl as a prodigy, an accomplished pianist, who was studying singing and is fluent in Duth, German and French.

Detective Sgt. James Bingham said she was picked up by two youths and taken to Passaic after she had run away from home. PM

Murder Suspect Accused of Attack On Sheriff, Doctor

The Courier-Journal
Louisville, Ky.
27h(2) Tues-12-7-48

Camden, N. J., Dec. 6 (AP)—Two State policemen guarded every movement of 27-year-old Howard Auld today after the murder-trial defendant was accused of attacking a sheriff and a doctor in his jail cell.

The former soldier is charged with the rape-slaying of Margaret Rita McDade, Philadelphia waitress, after a V-J Day party in 1945.

Auld collapsed in his cell Friday and court was recessed until this morning. Tues-12-7-48

Sheriff Edgar Myers told Judge Bartholomew A. Sheehan the de-

Held for Rape, Kidnap Of Nurse

Theodore Scott, 32, 590 East 166th St., Bx., was arrested yesterday, charged with rape, kidnaping, assault and robbery of Mrs. Roberta Oquendo, 72 E. 112th St. Police said Scott admitted all but the robbery.

Mrs. Oquendo, a nurse and mother of two children, told police she was on her way to work in a Bronx hospital at 6 a.m. when, at 112th St. near Park Ave., a man jumped out of a red sedan, hit her over the head with a bat, and dragged her into the car.

He beat her up in the car, Mrs. Oquendo told the police, drove her for five hours around Manhattan and The Bronx, and raped her at least twice. About 11 a.m., she said, the thug grabbed her purse, containing $35, and threw her from the car near a hospital at 170th St. and Grand Concourse, The Bronx.

From her description of the man, the route of the wild ride and the license number, detectives found Scott. He was asleep in the back of a red sedan in a private garage at 1174 Tinton Ave., The Bronx.

6 Boys, All 19, Held on Girls' Accusations

Six Bronx youths, all 19, were being held today on morals charges brought by two girls, 15 and 16.

Three of the youths also faced charges of illegal possession of weapons, after, police said, they found five automatic pistols, a 30-caliber carbine, a 16-gauge shotgun and about 800 rounds of ammunition in their homes. One of the prisoners, who allegedly took a $125 wrist watch from one of the girls, also was charged with robbery.

The girls attended a carnival at Westchester and Fteley Aves., Bronx, Friday night, and three of the prisoners later drove them to a lonely section, where the alleged attacks occurred. The girls were returned to the carnival, where three other youths took over the car, drove to the same vicinity and also attacked them.

After the second attack the girls were driven back to the carnival and left there.

Police traced the car, from the girls' description, to Edward Francisco, 1310 St. Lawrence Ave., and arrested him when he arrived home early yesterday. He was held on charges of rape and illegal possession of weapons when police found two pistols in his home.

The other prisoners, and the charges against them, are: Armond Ciriaco, 1221 Rosedale Ave., a morals charge and illegal possession of weapons; Joseph DiNapoli, 1320 Elder St., a morals charge; Michael DiPasquale, rape, a morals charge, robbery and illegal possession of weapons; Pasquale Melandez, 168 Delancey Pl., a morals charge, and Attilio Bitondo, 1108 Fteley Ave., a morals charge.

The youths denied the girls' charges.

11 Teen-Agers Held in Assault

NEW YORK, June 27 — (AP) — Eleven teen-aged youths beat a man unconscious and then assaulted his woman companion early today on Manhattan's East Side, police said.

All the youths have jobs and none has been arrested before, police said. Ten were held in $1,000 bail each pending hearings Wednesday when arraigned in Felony Court on rape charges. The eleventh, under 16, will be arraigned tomorrow.

The victims, seated on a park bench when the gang attacked them were identified as a 36-year-old woman and a 49-year-old man. Police said the youths slugged the man unconscious, then seized the woman, ripped off her clothes and assaulted her.

Police seized 4 of the youths as they were about to flee the scene, and captured six others hiding in a waterfront coal chute.

Youth, 16, Held for Attack on Two Schoolgirls

Accused of Grand Larceny and Rape; Fled in Car Stolen From Employer

Two Brooklyn detectives played a hunch yesterday morning and captured a sixteen-year-old boy charged with raping two schoolgirls in Merrick, L. I., Thursday afternoon.

The boy was arranged in District Court at Mineola, L. I., on charges of rape, grand larceny and felonious assault. He was identified as Carleton Costello, sixteen, of 259 Taylor Stdeet, Springfield, Mass., wso escaped last March from the Shirley Industrial School for Boys at Shirley, Mass.

Police in Mineola said the boy stole an air pistol fashioned like a German Luger yesterday, accosted the two fifteen-year-old girls in a patch of wods near the Merrick School at 4:15 p. m. and forced one girl to tie the other's hands and feet with their scarves. He raped the first girl, police said, then released the other child and made her bind his first victim. Then he atacke dthe second girl.

District Court Judge Albert C. Moore said the youth admitted the crimes and waived examination. He was held without bail for Grand Jury action.

Following the attack, police said, Costello broke into the Merrick Dairy, where he had been employed, stole his owner's new Hudson sedan, and drove off toward New York.

Lieutenant Anthony Panerella and Detective Anselm Cramer, of the Classon Avenue, Brooklyn, detective squad, picked up the case from there. They were notified shortly after 1 a. m. that a Hudson sedan had been abandoned on Clinton Avenue in Brooklyn, between Myrtle and Park Avenues. Searching the car, they found it belonged to Adolph Buff of Merrick, and after a telephone call to Mineola learned the car had been stolen by Costello.

Lieutenant Panerella said he recalled that a young girl living on Clinton Avenue had recently figured in a rape case, and on a hunch he and Detective Cramer went to her home. She told them she knew Costello and that he sometimes stayed at 154 Adelphi Street near by.

The two policemen went to the Adelphi Street building, started their search in the cellar and found Costello hiding in a dark corner. They struggled with him briefly and subdued him.

Costello told police in Mineola he had been "in trouble" since the age of nine, that he did not know who his father was, but that his stepfather in Springfield was an ex-convict. He had been living in a rooming house on Bushwick Avenue in North Merrick for the last few weeks.

YOUNG MAN SEIZED AS RAPE BURGLAR

West Side Robberies, Assaults Confessed by Prisoner, Police Say, as He Attempts Suicide

Thomas Nicholas, 22 years old, of 401 Columbus Avenue, was arrested yesterday and accused by the police of being the man who in recent months had robbed several West Side apartments occupied by single women, raping the occupants.

Dressed in sneakers and old clothes, which the police said he wore on his nocturnal crime [redacted] he was overpowered early morning by two detectives on Columbus Avenue and Street. [redacted] tectives, Joseph Straining and Edward Heitmann of the West Sixty-eighth Street station, closed in on Nichols at 5:30 A. M., after having followed him for two hours. They said he drew a knife with which he attempted to attack them. He was charged with violation of the Sullivan Law as well as burglary and rape.

In the station house, during questioning, the prisoner, according to the detectives, broke a drinking glass and cut his left wrist with the jagged edge in a suicide attempt. A doctor from Columbus Hospital treated him.

According to the detectives, Nichols admitted several burglaries and rapes. On his last robbery, the detectives said, he slashed a woman across the neck with his pocket knife when she resisted him.

Investigating that crime, in which $2 and a watch were stolen, the police found fingerprints which, they said, were those of Nichols. They also asserted their prisoner previously had been arrested for rape, but acquitted.

When Nichols left his apartment early yesterday morning the detectives took up the trail and watched him, they related, try several apartment doors. However, his usual method, they said, was to descend to an apartment from the roof by way of the fire escape. It was shortly before daylight when they decided to take no more chances and seized him.

15 YEAR OLD BOY PLEAS GUILTY TO RAPE SLAYING

New York City (CNS) Clarence Arthur Henry, 15 year old Bronx resident has plealejd guilty in the second degree to the rape and slaying of 27 year old Dorothy Thomas, a dancer. Special sentencing has been set for June 15th by the Judge James Barrett. Clarence Faces a possible 20 years to a life sentence for the crime which was committed last November 8th.

7820

Verdict In Child Rape Charges Being Awaited

GREENSBORO, N. C.—The verdict in the hearing of a local white man who is charged with rape of an eight-year-old Negro girl was withheld by Judge E. Earle Rives here last week pending laboratory tests of an article of the girl's clothing which was offered as state's evidence.

The man is Fred Sands, Jr. of 1704 Madison avenue who is charged with the attack on September 13.

Almost six hours of testimony was heard before the decision was made to send the garment to Raleigh for tests.

The girl took the stand and testified that the man assaulted her and promised her a new dress if she would not tell anyone of the act. A quiet and tense court-room sat through the testimony but was denied full hearing of the child's testimony as she spoke hesitantly and softly in answer to questions stated by the state's attorney and attorneys for the defendant.

SUPPORTED BY MOTHER

The child's testimony was supported by her mother and neighbors who examined the child after the alleged attack.

Dr. W. W. Harvey, county coroner, stated that he examined the child one week after the alleged attack but found no marks which would indicate such an attack. He added, however, that any bruises or scars could have healed between the alleged attack and his examination.

The child's mother testified that she tried to have the child examined immediately following the incident but was unsuccessful. One physician, she said, told her that he could not examine the child because he did not have time to go to court and testify.

Fred Sands, was charged with the rape on September 13. The child took the stand and, in a voice so low the spectators heard little of what she said, she said that Sands had promised her a new dress if she would not tell anyone of the assault.

Her testimony was supported by her mother and of neighbors who examined the child on the day of the alleged attack. Dr. W. W. Harvey, county coroner, admitted that bruises or scars would have healed in the week which elasped between the act and his examination.

Try White In Child Rape

GREENSBORO—A tense court-room here was the scene last week of the trial of a white man charged with the rape of an eight year old girl.

Judge E. Earle Rivers withheld his verdict until a laboratory test is made of the clothing the child were at the time of the al-

7820

LONG SUFFERING AND PATIENT

Says Jan Smuts, Prime Minister and notorious persecutor of native Negroes of British South Africa, "Next to the jackass the Negro is the most long-suffering and patient animal on earth."

We do not whether Mr. Smuts made the above statement as commendatory or condemnatory. We do know, however, that there is much truth in what the famous, or should we say, ill-famous ruler of South Africa has to say about the long-suffering and patience of Negroes in general. One only has to look at the record of the race in the United States, to say nothing of the Negroes in South Africa, to realize that only Job approaches them in patience.

Last week a white man in Smithfield, North Carolina was arrested and placed in jail for rape on a five-months-old Negro baby. Following this most revolting crime, certain white citizens of Smithfield suddenly describe the author of the act as "mentally deficient" and one who has been involved in several other sex offenses. Just why such a person was allowed to roam at large in any community is the unanswered sixty-four dollar question.

It will be remembered that Smithfield is the same community in which a white boys was freed for killing a Negro accused of stealing some dogs. It will also be remembered that it was near Smithfield that a railroad conductor was freed of shooting to death a Negro on his train because he would not take a seat in a jim crow car. Smithfield has taught disrespect for the lives, property and rights of Negroes which probably is the reason Paul Wise, the perpetrator of this most fiendish crime, had no moral restraint, even though his victim was a five-months-old Negro baby.

North Carolina has few if any instances in which a white man has been convicted for raping a Negro woman. We find no instance on record in which one has ever paid with his life for such a crime. So don't be surprised if testimony is brought out at the trial of Wise which will tend to show that it was by mutual consent that this dastardly act was committed between him and the baby. The baby may even be fined for using an automobile for immoral purposes. To appease their consciences or lack of consciences, the white man will probably be fined too with the good white folk of Smithfield pointing with pride to the fact that justice in their community knows no race or color. Anything can happen in a trial involving a white man and a Negro female.

Another avenue of escape for Wise is that which the newspapers have already suggested and that is the old and often used avenue of "mentally deficient."

Reverse the principals in this most sordid crime which has befallen Smithfield and you will discover what Jan Smuts says about the long-suffering and patience of Negroes cannot be said about our white bretheren. Had Wise been a Negro and the baby he raped white, he would have been lucky to live to be tried. Our white folk, the kind that inhabit Smithfield, have not evolved to the extent that they can restrain themselves when they come face to face with the kind of crime committed by Wise, when the victim is one of their own group and the rapist is a Negro.

We think this Smithfield case presents an interesting study for those who are forever talking about a mongrel race. It might be of interest to them to read a little history where they will learn that the first romance in the United States, was that of Captain John Smith and Pocahontas. The begetting of mulatto illegitimates during slavery, and the conduct of American soldiers abroad in World War II have all contributed to the mongrelization of the races in this country. Before we look with too much contempt on the crime committed by Wise, as heinous as it is, we may find that his lack of sexual restraint is innate or at least characteristic of us here in America.

Long suffering and patience may be evidence of strength, while the opposite may be a sign of weakness. The great Jewish race is also long suffering and patient, but the Jews always manage to outlive their adversaries. They are still around while the American Indian who was not long suffering and patient is practically extinct.

Brown Baby Born To White Girl, 13

By M. RIVERA JR.
(Courier Correspondent)

HAMLET, N. C.—A 29-year-old farm hand was spirited away by police last week when a 13-year-old white girl gave birth to a brown-skin child.

Horace York of Hamlet, N. C. was arrested on charges of rape and carnal knowledge of a white girl last week and carried to Rockingham, N. C., when the girl, whose identity was not made public, delivered a brown baby and told her step-parents that she had been intimate with York.

Conviction of rape and carnal knowledge carries the death penalty under North Carolina law.

Sheriff Carl H. Holland said the girl gave birth by Caesarian section in a Hamlet hospital May 3. The baby is healthy and is living with its mother at the home of her step-parents on their farm near here.

Man Abusing Child

SMITHFIELD—Paul Wise, 25-year-old white man of Clayton, was bound over to Johnson Superior Court last Wednesday on charges of assault with attempt to criminally [illegible] a four-month-old baby girl. Judge William L. Godwin of

White Carolinian Jailed on Charge of Attempting to Attack Baby Girl

Witnessed 25-Year-Old Mother of 4-Month-Old Infant Says She

White Man Held in Assault Of 5-Month-Old Negro Baby

Pittsburg Courier
Pittsburg Pennsylvania
27 D (2)

By A. M. RIVERA Jr.
(Courier Staff Correspondent)

SMITHFIELD, N. C.—Charged with the most heinous crime recorded recently, Paul Wise, a 30-year-old white man, is being held in jail here without bail on a charge of assault with intent to rape a five-month-old Negro baby.

The dastardly act was reported by Deputy Sheriff Joseph T. Barnes and Constable Freeland Lancaster, arresting officers, last week.

The defendant was bound over to the next term of the Johnston County Superior Court after Judge William I. Godwin found "probable cause." Judge Clawson L. Williams of Sanford, N. C., will hear testimony in the case when the next two-week term begins that week.

Sat 12-16-39

CHILD IN AUTO

According to Mr. Barnes, Mrs. Mary Elizabeth Hunter, mother of the infant, was in the process of bathing the defendant's aged mother when the alleged assault occurred. He said that Mrs. Hunter left her baby in the car while she went in to bathe Wise's mother who is ill. Barnes quoted Mrs. Hunter as saying that she heard her baby scream and when she rushed outside she found Wise in the car with the child.

The arresting officers stated that when they reached the Wise home they found him eating dinner. Barnes said they allowed him to finish eating his meal and that Wise ran as they were taking him to the car but that he was overtaken several hundred yards away and jailed in Smithfield.

Selma found probable cause in the case in Recorder's Court and ordered the defendant held in jail without the privilege of bond while awaiting trial.

Clerk of Superior Court H. V. Rose reported that the case would probably be heard by Judge Clawson L. Williams of Sanford during the two-week mixed term of Johnson County Superior Court which got under way last Monday.

Mother Signed Warrant

Residents of Johnson County are upset over the cruel crime and are insisting on immediate action by county officials. [illegible] told this reporter that efforts were being made to keep the assault a secret.

In court, Wednesday, Mrs. Elizabeth Hunter, mother of the infant, signed a warrant charging that the defendant "assaulted La-Verne, an infant female person of 4 months of age, with intent to criminally attack the child, and did inflict serious and painful injury upon her."

Sees Man With Baby

In an exclusive interview in her home four miles from Clayton, Mrs. Hunter told the following version of what happened:

"A social worker from the County Welfare Department stopped by my house and asked me if I would help her to dress Mrs. Mollie Wise (a bedridden, elderly white woman who lives about a half mile from Mrs. Hunter). I told her that I would help with the bedding, but that I did not want to touch the sick woman because I had two little children.

"When we arrived at the Wise home my baby had fallen asleep so I decided to leave her in the car. I entered the house and was waiting to be called to assist, when I heard my baby screaming.

"I rushed out of the house and saw that the child had been taken from the car. When I looked around the back of the house I saw that Paul Wise had my baby laying on the grounl and it seemed as if he were choking her.

Yells Dissaude Man

"He was on top of her. I thought he was killing her and I was afraid to go near him. I yelled for help; and when Paul heard my cries he picked the baby up, carried her back and threw her on the ground beside the car.

"I picked my baby up and noted that her diaper had been removed. Her body was bruised and bleeding.

White Physician "Indifferent"

"I drove into Clayton and took the baby to Dr. H. E. Brooks, a white doctor. I told him what had happened and he seemed indifferent. He looked at the baby as I held her.

"We did not even go into his office. He treated her in the waiting room, and then told me to come back in three days.

"I was not satisfied so I carried her to a colored doctor, Dr. Charles W. Furlong, in Smithfield. He gave the baby a thorough examination and kept her in his hospital overnight."

Dr. Furlong told an AFRO reporter that he gave the infant a thorough examination and there were "injuries that indicated that an attempt had been made to criminally attack the chill.

"It's pitiful, but it is true. It is the worse I have ever seen," the physician stated.

Wise was arrested by Deputy Sheriff Joe Turner Barnes and lodged in jail here. The Hunter family has known the Wise family for years.

"I have done them many favors," Mr. Hunter stated, adding, "but if I had been there that night either Paul or I would have been in heaven or hell."

LaVERNE HUNTER

SUMMONED HELP

Mrs. Hunter is quoted by the investigating officers as saying that Wise placed her baby beside the car and left while she was summoning help.

Dr. C. W. Furlong, who treated the child, told this reporter that the baby had been treated before being brought to him, but that he found the infant bruised and bleeding. He said that there was positive evidence of force of some kind. In reference to questions about the future health of the child, Dr. Furlong stated that he did not keep her in the clinic since her response to treatment was satisfactory.

Sat 12-16-39

27h(2) 1948

Ohio

7822

Woman, 32, Tells Police Of Kidnap-Rape Attack

Cincinnati, Jan. 30 (AP)—A 32-year-old Covington woman told police Sgt. Paul Flaugher that she was kidnaped and raped early today by two men in an automobile. A third man did not bother her, she reported.

She said she jumped from the car and escaped after the attacks and walked barefooted to the Police Station. Physicians at a hospital said she had been assaulted.

Sergeant Flaugher said the woman told him the men seized her after she left a bar in downtown Cincinnati.

7821

8-Year Old Dunbar Student Raped By White Truck Driver

7-31-48 Sat.

27h(2) 7-31-48

An eight-years old Dunbar grade school student was criminally attacked by a "middle-age white man" last Thursday about 10 a. m. in the outlying, undeveloped 16-1700 block Northeast Second street, it was reportetd July 22, too late for publication in the July 24 issue.

Interviewed by a reporter shortly after the alleged crime was committed, the girl said she was playing in the area with three other children when the man in a large red, stake truck drove up the winding road, (which would be Second street if developed in the future) stopped the truck, alighted and attempted to lure her into the deep brush, offering her fifty cents. 7-31-48 Sat.

The child said one of the boys with her started off, saying to the others, "come on away from that man." At that point the man took the child by the arm and forced her into the brush area south of the roadway, where weeds were a yard high, according to the alleged victim.

After the alleged attack, the man gave the child a five dollar bill and directed the girl to get change as he wanted to give the other children money.

Neighbors told the reporter that the child was seen running north toward the Rock Front grocery and soon returning southward, when she was stopped by the observing neighbor. The neighbor said the child had three one dollar bills and two dollars in change clutched in her hand when stopped.

Sat. 7-31-48

The child immediately told what happened and the neighbor notified police.

Scoutcar officers H. A. Lakey and C. C. Miller talked to the neighbors, the child, and two boys who saw the alleged rapist. Following, the girl was carried to Mercy hospital and slide test made, which report had not been revealed to police Friday morning.

Juvenile officer G. E. Bailey was assigned to further investigate the case and reported that the extreme youthfulness of the children accounted for lack of details on which to work for apprehension of the man, whom all the children described as tall, dipped snuff and had a bump or mole beside his nose.

7823

Assault Trial Opens In Packed Courthouse

By MARK WARREN

A. H. Rickenbacker, 36-year-old Orangeburg man, went on trial today in Richland county General Sessions criminal) court, charged with alleged criminal assault upon a 17-year-old married woman of Columbia, last March 12 near Leesburg road.

Solicitor T. Pou Taylor said that upon conclusion of the Rickenbacker case, he would call to trial two other defendants charged with a similar allegation and upon the same woman. He listed those defendants as David Bozard, 21, alias Junior Bozard, of Orangeburg, and Barney Lee Nairwood, 25, of Columbia.

Packed Courtroom

The courtroom was packed as the blue-eyed young woman took the stand and described how she went in an automobile with the men from her home here to visit her husband at the Veterans hospital.

After the visit, she testified, she and the men got back in the car.

She testified the car went out Leesburg road, where one stop was made for soft drinks, and the journey then continued out a dirt road as the men were quoted as saying they wanted to see someone.

She testified they stopped at a home and that she went to the door and asked for that person and that she then got back in the car and drove to another house where inquiry was made for another person.

Car Stuck In Sand

After that, she testified, the car was driven by Rickenbacker out Leesburg road to a side road, where it became stuck in the sand, and later from that point to a wooded section where she was left in the back seat of the car while the three men got out of the car.

She testified that one of the men, whom she identified as Nairwood, came back in the car and there allegedly criminally assaulted her. She testified she struggled but was overcome.

Then, she testified, Rickenbacker allegedly came into the car and he allegedly assaulted her, too.

Finally, she testified, Bozard allegedly entered the car and he allegedly assaulted her also.

Later, after the car once more became stuck in the sand, the quartet came back to Columbia, made a stop at a drive-in and then she was taken home, she testified.

Upon arrival home, she testified, she talked with her mother and family. She testified her brother called the law officers. (The case was handled by Sheriff T. Alex Heise's staff).

The state's witness was on the stand for a lengthy period of time and was to be cross-examined at the afternoon session of court.

She wore a sweater outfit and frequently grabbed one hand with the other.

Describes Struggles

She described in detail how she allegedly fought off the advances of the trio.

Seated at the defense table were five attorneys including Attorneys C. T. Graydon of Columbia, Frank L. Taylor of Columbia, Andrew J. Hydrick of Orangeburg, his son, Andrew J. Hydrick, Jr., and Thomas Bryant of Orangeburg.

The court session was marked by frequent verbal clashes between the solicitor and defense attorneys, as objections arose upon admissability of certain testimony.

Introduced as evidence were a red dress the young woman testified she was wearing at the time of the alleged assaults; a slip, and undergarments.

One button was missing from the dress, and later a button, which she testified was similar to the one on the dress, was introduced as evidence. The solicitor said he would bring out later regarding the button's place in the case.

The state's principal witness then testified as to her condition after the alleged attacks.

Court Recessed

It was at that point that Judge J. Henry Johnson ordered a recess until the afternoon period.

Most of the early part of the morning was occupied in selection of the 12-man jury. A number of prospective jurors were excused.

Prior to the opening of the case, the witnesses were ordered segregated.

Today's case in the fourth day of the second week of the term drew the largest attendance yet of the term.

Women were numerous among the spectators. One was observed to have brought some needlework with her which she plied while listening to the testimony.

Steadman Sentence Awaited

Mrs. Ida E. Steadman continued today to await sentence following last night's conviction upon an allegation of inducing an abortion.

A naturopathic practitioner, she was found guilty of the allegation after the jury deliberated less than an hour.

The state's principal testimony was offered by a 21-year-old single woman.

Telephone conservation between Mrs. Steadman and a witness had been recorded by the sheriff's department and was introduced as testimony.

Assault on Woman, 79, Blamed on Youth, 19

CAMDEN, S. C. (ANP)—Ernest Benjamin, 19, was arrested and held without bail at the county jail here last week on a charge of criminally assaulting a 79-year-old woman on Dec. 1. According to Sheriff Gib DeBruhl of Kershaw County, Benjamin confessed the crime to investigating officers.

7824

EX-PATROLMAN HELD IN ATTACK ON WOMAN

Sailor's Young Wife Claims He Assaulter Her — Boyle Announces Confession

John W. Hardin of 932 South Holmes, former city patrolman, was arrested yesterday, and is being held in County Jail pending investigation of rape charges made against him by the young wife of a sailor.

Hardin was arrested at Rozelle School, where he was working as a painter for the City Board of Education. He had not been a member of the police force since Feb. 2, 1946, when he was dismissed for being absent without official leave.

Commission Got "Tip"

The arrest was made by City Commissioner Boyle, who received a "tip" Saturday night, Police Chief Seabrook and Sheriff Thompson.

Sheriff Thompson said last night the charges are being investigated fully by his office. He has assigned Lieutenants Sidney Hall and Aubrey Smith to the case.

Commissioner Boyle, in company of the two police officials, visited the home of the young Navy wife yesterday morning. He carried along the picture of Hardin attached to his former service record.

From this, Commissioner Boyle said the attac kvictim identified Hardin as the man who attacked her last Monday night. She also accompanied the police to Rozelle School, and again identified Hardin as her assailant as he was being brought to their car.

Confession Reported

Commissioner Boyle said Hardin admitted the attack.

Police officials said Hardin sold a Buick automobile, which figured in the attack, last Friday night.

Howard F. Billingsley, 41, operator of Billingsley Motor Co., at 215 North Cleveland, was arrested yesterday on charges of failing to report transfer of the car and failure to keep proper records.

He posted $51 bonds on each charge and was released. He is scheduled to appear in City Court this morning. Inspector U. T. Bartholomew, head of the Auto Theft Bureau, made the arrest.

The sailor's wife told police last Tuesday night, in the company of her husband, a sailor at the Naval Air Technical Training Center, that she was attacked by a man who represented himself as being a member of the Police Department. Commissioner Boyle, Shore Patrol officers and city police heard her story that night.

Tells of Car Ride

She told them she had visited her husband the night before at Millington and returned to the city about 11:30 and was waiting for a bus when a man drove up and asked her the way to Cleveland and Poplar.

She said she was persuaded into riding, and that the man showed her a card and represented himself as a police officer. She then told of having been driven out Highway 51 South into the county, and pulled from the car.

The woman was unable to identify any of the present members of the force from photographs and personal appearances.

Hardin figured in then ews in December, 1942, when his first wife, Mrs. Katherine Hardin, shot and killed his father when they were living at 641 North Decatur. Mrs. Hardin was cleared of a technical charge of murder in City Court.

Police records show Hardin was with the police force from 1941 to 1946. He is 27.

Judge Dismisses Case Because of Girl's Weak Story

By O. B. TAYLOR

KNOXVILLE, Tenn. (ANP) — George Dockery, 50-year-old janitor, was freed of an alleged rape of a young white woman at a preliminary trial before Judge Charles Kelly here Thursday because of what the jurist termed "unreasonable testimony" by the supposed victim.

Miss Mary Condell, 20, testified that the attack had been made upon her in her bedroom in a large rooming house during the early hours of the morning two weeks ago. She indentified Dockery as the man who entered her bedroom with a pistol and a flashlight.

Before hearing the testimony, Judge Kelly warned the huge crowd of Negroes and whites that "the serious charge of rape is before the court and if there is any demonstration raised here by either white or Negro, you will at once be placed in jail."

ALLEGEDLY IDENTIFIED SELF

In identifying Dockery, she said he told her she would be shot unless she stopped screaming.

"How loud did you scream?" asked the judge.

"At the top of my voice," the woman said.

"With all those inmates in that large rooming house, is it not strange that not a single man, woman or child heard you?" the judge queried. "How are you so sure that Dockery is the one?"

The woman replied, "He told me he was the janitor next door," whereupon the judge observed, "It does not seem reasonable to the court that a man in the act of committing the most serious crime in the annals of this State should voluntarily identify himself."

TOLD SECOND STORY

Later it was brought out that the woman had called police officers to report the theft of two large diamond rings in her possession that were the property of her sister. She said nothing about the supposed raping, but two hours later appeared at the City Hospital asking for a physical examination. It was then she said she had been criminally attacked.

The medical report revealed recent sexual intercourse but no evidence of violence and no bruises on any part of her body. The physician said, "She seemed cool and collected."

The judge immediately ordered the case dismissed.

17-Year-Old Tenn. Girl Accuses Father, Friend

MURFREESBORO, Tenn.—A white father and a young Negro were indicted here Monday on charges of criminally assaulting the white man's daughter.

The defendants, Robert F. Jones, 37, and Rogers (Fats) Avent, 21, were arrested after they were accused by Jones' 17-year-old daughter last Saturday.

The girl charged her father forced her to submit to Avent and then to himself.

The grand jury had been called into special session on another matter and the assault case was sent directly to the jurors from General Sessions Court.

District Attorney General Bayard Tarpley said the case may be tried about the middle of September.

7825

Va. Policeman Begins Jail Term for Assault

RICHMOND, Va. (NNPA) — Carl R. Burleson, 29, white former policeman, who jumped bail and went to Hawaii after his conviction of criminally assaulting a colored woman, began a seven-year sentence at the State Penitentiary here last Thursday. He was convicted Jan. 17, 1948.

Burleson was returned here Feb. 4 by plane from San Francisco by Det. Sgt. Joseph A. Brooks, having surrendered to the FBI in Honolulu on Jan. 21.

He had been a fugitive since Feb. 21, 1947, when he failed to appear in Hustings Court where against him was to be argued.

Jailed in 5 Minutes

Brought into the same court from City Jail last week, Burleson was sentenced within five minutes by Judge John L. Ingram and returned to the lock-up from which he was transferred to the penitentiary.

Judge Ingram promptly overruled a motion by his attorneys, M. J. Fulton and J. M. Turner, to set aside the verdict. When the jurist asked Burleson if he knew any reason why sentence should not be passed, he shook his head negatively.

Former Auxiliary Policeman Leonard E. Davis, 44, also white, is also serving a seven-year sentence on a similar charge involving the same woman. After Burleson fled, the Davis case unsuccessfully appealed to the Supreme Court of Appeals.

White Sailor Held On Attempted Rape

PORTSMOUTH, Va. — A white sailor accused by a 16-year-old Negro girl here Saturday of kidnapping and attempting to rape her, was captured Saturday night and is being held in the city jail in lieu of bond.

He is Theodore Leroy Gallagher, 20, who according to the girl, drove up and forced into her car with the use of a "flare gun" while she was walking along Rodman ave., about 9 a. m. Saturday morning.

The young lady said after the sailor had driven to the Bowers Hill section of Norfolk County and had forced her to remove some of her clothing, she managed to jump from the car and escape when passing traffic diverted his attention. Upon arrival in the city she reported the incident.

Buys New Dress for Girl Waylaid in Amherst Woods

Torn Garment, Pair of Men's Shorts Introduced at Trial; Girl Pregnant

AMHERST, Va. — A classic example of Virginia "justice," was unfolded here last week when a charge of criminal assault of a feeble - minded woman against Murrel Dudley, white, was changed to assault in Trial Justice Court and the defendant fined $20 and costs by Justice L. H. Shrader.

The serious charge was permitted to be changed and the small fine meted out in spite of the fact that damaging evidence was given by witnesses who testified in behalf of the assaulted woman.

History of the case goes back to Aug. 29, last, when the incident took place in a wooded section of Amherst County near New Glasgow, Va. The woman, Miss Bertha Rose, reputedly feeble-minded, was attacked by Dudley who later attempted to settle the matter out of court, witnesses stated.

Paid $12 for Dress

According to testimony at the hearing held in open court, Paul Alphin, deputy sheriff, arrested Dudley on a warrant sworn by Miss Corine Rose, sister of the assaulted woman, then took Dudley to the Rose home, loaned him $12 to settle the felony without reporting the case to the Commonwealth Attorney, W. H. Carter.

A note was produced in court, allegedly written by Dudley, which stated that he would have no more trouble with the Rose family. The $12, it was testified, was paid for damages to the dress and pocketbook of Miss Bertha Rose.

The case was a week old before it reached the attention of county citizens, and was brought to Amherst by Henry Harris and later Mr. and Mrs. Norman Pendleton and Mrs. Virginia B. Abott, who made an investigation and reported the matter to Commonwealth Attorney Carter.

Mr. Carter ordered Deputy Sheriff Alphin to rearrest Dudley and bring him to Amherst, and at the same time admonished the official for attempting to settle a felony out of court.

High Sheriff H. Myers testified that he and Mr. Carter visited the scene of the assault, led by Miss Rose, after the case was reported to them and found a pair of men's shorts which was said to be Dudley's. The badly torn dress of the Rose woman was introduced in court as evidence.

Mr. Carter declared he did not consider it criminal assault and asked for the change of the charge, which resulted in the $20 fine and costs of court.

According to testimony, Dudley was riding with another white man, L. B. Turner, when they picked Miss Rose up to take her home, and when in the wooded area Dudley got out of the car and started walking with Bertha. Turner turned and drove off, leaving the two in the woods.

TWO LYNCHINGS ON RECORDS
Mc Comb Enterprise-Journal
OF U. S. FOR 1948
McComb, Miss.

Two Georgians--One White One Negro--Victims of Mob Violence

271---

Tuskegee, Ala. Dec. 31 (Special) Only two lynchings- one of a white man, the othe other of a Negro, and both in Georgia--occured during 1948, rrecords of Tuskefee Institute here indicated, according to a report made tod y by President F. D. Patterson of the Institut Institute. Fri. 12-31-48

One of the victims was William Turner (Alias Wilson Turner*, a 26-year-old white farm Tenant of Meriwether County, Georgia, charged with stealing cattle from his landlord. He w was placed in jail but releas- ed for lack of evidence. Upon leaving the jail, he was chas- ed from Meriwether County in- to Coweta County, allegedly by a group of white men led by the owner of the stolen cattle, seized, beaten and his body burned.

The other victim was Robert Mallard, 37-year-old Negro of near Lyons, Toombs County, Ga. There was no charge against him, the Institute's president said in his report, which added that Mallard apparently had incurred the enmity of some of his neighbors, including some white people. Mallard was waylaid by a group of men, said in the Institute's report to have been white men, late one night and shot to death. Fri 12-31-48

One On 'Borderline'

One "borderline case," not included in the total number of lynchings for 1948 for the reason that "in one respect only it does not conform to criteria used" was noted. This victim was Isiah Nixon, 28, Negro, who is reported to have "insisted on voting in Georgia's primary election after being advised not to do so." On the evening of the same day he voted, according to President Patterson's report, two brothers, white, went to Nixon's home and shot him. Two days later he died in a hospital. Fri

The report said alert law enforcement officers saved possible lynchings in 19 other cases where negroes were threatened by mobs. Fourteen of these were in Mississippi, the report added, two in Alabama, and one each in Georgia, South Carolina and Virginia. 12-31-48

One of the cases the Institute listed where mob violence was averted occurred at Dentville, Miss., near Hazlehurst, when law enforcement officers stepped in to prevent threatened lynchings after Sheriff Julius Harper, of Copiah County was shot by a Negro. 271 12-31-48

For participating in the lynching of Wiliam H. Turner, one person received the death sentence, and three others were each sentenced to life imprisonment.

Lynching Record

Number of Lynchings. According to the records compiled in the Department of Records and Research of Tuskegee Institute, it is that 2 persons were lynched during the year. This is 1 more than the number for 1947; 4 less than the number for 1946; 1 more than the number 1 for 1945 and equivalent to the number 2 for 1944.

One of the victims was William H. Turner (alias Wilson Turner), a 26-year-old white farm tenant of Meriwether County, Georgia, charged with stealing cattle from his landlord. He was placed in jail but later released for lack of evidence. Upon leaving the jail he was chased from Meriwether County into Coweta County by a group of white men, led by the owner of the stolen cattle, seized, beaten and his body burned. Fri 12-31-48

The other victim was Robert Mallard 37-year-old Negro of near Lyons Toombs County Georgia. There was no charge against him. His apparent offense was he had incurred the enmity of his white farm neighbors because of his prosperity. oMtoring home late at night accompanied by his wife baby and two of his wife's young relatives he was waylaid by a group of white men, who blocked the road and shot him to death.

Borderline Cases. There was 1 borderline case, not included in the total number of lynchings for 1948 for the reason that in one respect only it does not conform to criteria use. The victim was Isiah Nixn, 28-year-old Negro, who insisted on voting in Georgia's Primary election after being advised not to do so. On the evening of the same day he voted, two brothers white went to Nixon's home and shot him. He died two days later in a hospital.

Lynchings Prevented. In at least 7 instances lynchings were prevented by ofifcers of the law. All of these were in the Southern States. A total of 19 persons all Negroes were thus saved from death, at the hands of mobs. Fri 12-31-48

Punishment of Lynchers For participating in the lynching of William H. Turner, 1 person received the death sentence and 3 persons were sentenced to life imprisonment.

Very truly yours,
F. D. Patterson,
President.

A "Georgia Record"

Daily Free Press
Fri 12-31-48

The Free Press carries today in its news columns the annual report of Tuskegee Institute on lynchings in the country. There were two persons lynched during the year, one more than in 1947, and four less than in 1946. Both of the mob killings occurred in Georgia. One was a white farmer, 26-year-old tenant who was charged with cattle stealing by his landlord. He was placed in jail but there was lack of evidence of his guilt and he was released before being brought to trial. Upon leaving jail, according to the Tuskegee report, he was chased from Meriwether County where his alleged cattle stealing occurred into the adjoining county of Coweta. A group of white men led by the owner of the stolen cattle, seized him, beat him to death and burned his body. For this crime one person received a death sentence and three were sentenced to life imprisonment.

The other case was a 37-year-old negro in Toombs County. According to the Tuskegee bulletin he committed no crime except by good management enjoyed prosperity. He was motoring home late at night accompanied by his wife, baby and two of his wife's young relatives. He was allegedly waylaid by white men who blocked the road and shot him to death. So far there have been no penalties meted out for this atrocious crime.

In addition to the two lynchings in Georgia there was what the Tuskegee Institute bulletin calls a border line case in which a 28-year-old negro, who insisted on exercising his right to vote in Georgia's primary election, was shot when two white men, brothers, went to his home and called him to the door. He died two days later. Fri 12-31-48

An encouraging feature of the report is the fact that seven attempted lynchings were prevented by officers of the law. A total of 19 persons, all negroes, were saved from the hands of mobs.

While there has been marked progress in the prevention of lynchings in the country it is evident that in some sections, particularly in Georgia, the foul crime is not frowned upon as much as it should be. Not only is it essential that those who participate in mobs be punished, but officers of the law who are derelict in their duty in protecting those in their custody must also be held accountable.

7827

released by the Department of Records and Research of Tuskegee Institute, but two mob action accounted for deaths during the past year, but Tuskegee lists one "borderline case" which other compilers are most likely to classify as a lynching too.

The lowest scores for America's Twentieth Century lynching deaths were registered in 1945 and 1947 when there was one each year. The two for 1948 were equivalent to the number for 1944, but four less than the six for 1946, one of the most years of them all, in that four persons—two men and their wives—were dispatched in a mass slaying by a Georgia mob. Fri 12-31-48

One of the 1948 victims, a 28-year-old white man had been accused of stealing cattle, but freed for lack of evidence; the other, a 27-year-old colored businessman, had been neither charged nor suspected of any crime. His only offense, apparently was in being too prosperous to suit his jealous white neighbors.

The slaying of the Negro who had dared to cast a vote in the Georgia Democratic primary election is defined as a borderline case by Tuskegee because of certain criteria employed in making the classifications. Two white men charged with this slaying were later acquitted.

Georgia alone contributed to the 1948 record, no other state having

America's Lynchless Year Still Awaited

As in the previous year, the United States remained comparatively low in lynching record for the 1948 but like all the preceding years since 1882 when official records of lynchings have been maintained, 1948 failed to be the lynchless year. The American people must still wait, hope and pray for that blessed period between January 1 and December 31 when there will not be a single death charged to mob violence in this country.

According to figures compiled and

One of the 1948 victims, a

taken part in boosting the infamy.

A progressive decline in the number of lynchings taking place in this country annually is now sharply evidenced, but this circumstance can hardly be projected as a basis for the contention that a federal anti-lynching law is not needed.

The number of persons recorded as having died as the result of mob action during the decade 1938-'48 was 36, which was about one-fourth of the total suffering a similar fate in the preceding decade.

Increased vigilance on the part of southern peace officers is said to have been mainly responsible for keeping the record low. Reports state that in several instances, quick action on the part of the police during last year resulted in would-be lynchers being foiled in their designs.

This is encouraging news. It is to be hoped that state, county and municipal authorities will continue to exert themselves even more dutifully to the end that 1949 may prove to be our first lynchless year, whether we do or do not have a special federal statute dealing with the subject.

Two Lynchings Listed In 1948 By Tuskegee's Research Group

TUSKEGEE, Ala. — According to records compiled in the department of records and research of Tuskegee Institute, two persons were lynched during 1948. This is one more than for 1947; four less than the number six for 1946; one more than in 1945; and equivalent to the number two for 1944.

One of the victims was William H. Turner (alias Wilson Turner), a 26-year-old white farm tenant of Meriwether county, Ga., charged with stealing cattle from his landlord. He was placed in jail but later released for lack of evidence. Upon leaving the jail, he was chased from Meriwether county into Coweta county by a group of white men, led by the owner of the stolen cattle, seized, beaten and his body burned.

The other victim was Robert Mallard, 37, near Lyons, Toombs county, Ga. There was no charge against him. He had incurred the enmity of his white neighbors because of his prosperity. Motoring home late at night accompanied by his wife, baby and two of his wife's young relatives, he was waylaid by a group of white men, who blocked the road and shot him to death.

BORDER LINE CASES

There is one borderline case, not included in the total number of lynchings for 1948 because in one respect only it does not conform to criteria used. This victim was Isiah Nixon, 28, who insisted on voting in Georgia's primary election after being advised not to do so. On the evening of the day he voted, two brothers, white, went to Nixon's home and shot him. He died two days later in a hospital.

PREVENTIONS, PUNISHMENT

In at least seven instances, lynchings were prevented by officers of the law. All of these were in southern states. A total of 19 persons, all Negroes, were thus saved from death at the hands of mobs.

For participating in the lynching of William H. Turner, one person received the death sentence and three were sentenced to life imprisonment.

Mallard killing a lynching all right, Tuskegee 1948 annual report of U. S. e...

The grisley stamp of approval, as explained, had been placed on the Mallard killing today by the most recognized authority.

Tuskegee Institute, whose word is usually taken in such matters, pronounced today that the Georgia killing of Robert Mallard, well-off brother of a local man, was indeed a lynching, the second of the year just ended.

There were two lynchings in the nation in 1948, Tuskegee said. The first was of a white man, William H. Turner, 26-year-old Georgia tenant farmer, who was beaten and burned to death by a mob of whites under the leadership of the white owner of some cattle Turner was accused of stealing.

For Turner's lynching, one person received the death sentence and three others were given life imprisonment.

The killing of the brother of Ben Mallard, of this city, Tuskegee observed, has gone unpunished, although the wife of the slain man, at first arrested on suspicion of having murdered her husband, has identified members of the mob which ambushed and shot her husband.

Tuskegee, continuing its report over the signature of Pres... D. Patterson, indicated that ... is nothing singular ... country's 1948 lynch rec... parison with that of the past five years. The record of 1948 was one more than 1947; four less than 1946; one more than 1945; and the same as 1944, the report said, adding that there was one "borderline" lynching in 1948, not included in the total number of lynchings for 1948 because "it does not conform to criteria used."

The case referred to was the shooting to death by two white brothers of Isaiah Nixon, 28-year-old Negro, also of Georgia, for voting in the Georgia primary election against orders of whites.

On the evening of election day, after Nixon had voted, the two whites went to his home and shot him.

By "criteria used," it is assumed Tuskegee's compilers mean that the two brothers did not constitute a mob and that Nixon, not being suspected of a crime, had not been deprived of due process of law.

The Tuskegee report said "at least 7 lynchings were prevented by officers of the law." . . . all in the southern states. Nineteen persons, all Negroes, the report said, were saved from death at the hands of mobs.

Danville Lynching Report Corrected

TUSKEGEE, ALA., Jan. 8.—(AP) Tuskegee's 1948 lynching report has created reference to an alleged threat of mob action against a Negro arrested at Danville, Va., last August.

The Negro, Charles David Price, was arrested for the slaying of Andrew Coleman, a white man. According to the report prompt police action prevented a possible lynching.

Jessie P. Guzman, director of records and research at Tuskegee Institute, said records were changed to conform to new information received from Danville.

She said Walter L. Gram, vice-president, The Danville Register, and two other Danville citizens sent in statements denying any such threats were involved.

Lynch Threat Entry Stands Tuskegee Says

Tuskegee, Ala., Dec. 31 (AP).—Despite denials, Tuskegee Institute stood firm today in recording an incident at Danville, Va., last August 15 as a threatened lynching.

The Negro college, in its annual report on mob violence yesterday, listed two lynchings in 1948; called another slaying a "borderline" case, and reported 19 Negroes rescued from threatened violence.

The Danville incident was one of the latter, Tuskegee said.

Denied by Sheriff

Sheriff Dabney K. Hall at Danville, however, denied the report. He said the Negro in question, Charles Price, was removed to another jail "as a matter of convenience and not because of any threats from anyone." President Charles K. Coleman of the Danville Voters League also called the Tuskegee report "erroneous."

But Mrs. J. L. Guzman, head of Tuskegee's department of records and research, said "Our report stands unless someone can prove to us it is not true."

She said her information came from news stories in the Atlanta Constitution and the Columbia (S. C.) Record of Aug... 16 and the Atlanta World, a Negro publication, of August 17.

The stories in the Constitution and the Record came from a wire service, Mrs. Guzman said. She quoted the one in the Constitution dated August 15 as saying "Police took a young Negro fugitive from the Danvile jail . . . and held him at another unnamed Virginia jail to avoid any violence growing out of the knife slaying of a Virginia farmer . . ."

The story quoted Sheriff Hall as saying he would not tell where the Negro was held until any threat of violence had died down and that an "angry" crowd had gathered around the roadhouse where the slaying occurred.

Wallace Denied 2d Court Plea

John Wallace, wealthy Meriwether County dairyman, lost a second plea before the Georgia Supreme Court yesterday to knock out his death sentence.

Wallace was convicted last year of the bludgeon slaying of Tenant Farmer Williams, alias Wilson Turner, in Coweta County.

The State charged that Wallace and three other men pursued Turner shortly after his release from jail, killed him, and then burned and hid his body.

The case was described by Tuskegee Institute as the lynching of a white man by white men.

Wallace received a death sentence in Coweta Superior Court while the other three men were meted life terms—Herring Sivell, Henry Mobley and Tom Stiland.

After losing one appeal to the Supreme Court for a new trial, Wallace made a second plea charging that one of his jurors said before the trial that Wallace should go to the electric chair.

Wallace also asked for a new trial on grounds that new evidence by his alleged accomplices would show the crime was committed in Meriwether County instead of Coweta as charged by the State.

In a unanimous decision written by Justice J. H. Hawkins, the Supreme Court upheld lower court decisions denying a new trial.

The juror named as prejudiced by Wallace denied any of the statements attributed to him. Justice Hawkins held that a new trial was not justified on the basis of such a contradictory question.

Hawkins said the alleged new evidence that the brutal murder took place in Meriwether County did not warrant a new trial because apparently it was available

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Tuskegee Report Finds One Lynching In 1947

This number is five less than the six persons lynched in 1946; equivalent to a like number (1) lynched in 1945; one less than the number (2) lynched in 1944; and two less than the number (3) lynched in the year 1943, the report declared.

EARLE LYNCHERS FREED

In the case of Willie Earle, who was accussed of stabbing and robbing a white taxi driver, the 31 white suspects were brought to trial and exonerated despite the fact that some had written confessions to the crime.

The report disclosed that there were six borderline cases which were not included in the lynch category because, to date, sufficient evidence concerning them has not been obtained.

BORDERLINE CASES

They included the following cases, the report stated:

Joe Nathan Roberts, at Sardis, Ga.; Red Marks, Tobe Marks, Joe Wickerson, and an unnamed Negro at Oakwood, Fla.: and Charlie Bud) Smith, in or near Angier, N. C.

LYNCHINGS PREVENTED

There were at least 31 instances in which lynchings were prevented the report continued. Twenty-four of these were by officers of the law, four by persons who saved themselves from mobs, two by persons not officers of the law and one instance in which the victim, left as dead by the mob, survived bullet wounds.

Twenty-seven of these 31 instances occurred in the South, while four occurred outside of the south, the report said.

Of the 44 persons placed under indictment for lynching or attempted lynchings, all 44 were acquitted, thus ended the report.

Only 1 Lynching, 6 Border Cases Recorded for 1947

TUSKEGEE, Ala.—According to the records of the Department of Records and Research of Tuskegee Institute, only one person was lynched during 1947 and there were six borderline cases. The sole victim was Willie Earle, 24, of Greenville, S.C.

The one lynching was five less than there were in 1946; equivalent to the one in 1945; one less than the two lynched in 1944, and two less than the three for 1943.

Borderline Victims

Six deaths were listed as borderline cases because there was not sufficient evidence to term them lynchings. Victims in these cases were:

Joe Nathan Roberts at Sardis, Ga., Red Marks, Tobe Marks, Joe Wickerson and an unnamed person at Oakwood, Fla., and Charlie (Bud) Smith near Angier, N.C.

31 Preventions

In at least 31 instances lynchings were prevented; 24 by the police, four by persons who saved themselves from mobs; two by persons not officers while one victim who was left for dead by the mob, survived his bullet wounds.

Twenty-seven of these cases were in Southern States and four outside the South. Thrity-three colored persons and six whites were saved from death by mobs. Of the 44 persons indicted as participants in lynching s,44 were freed.

1947 LYNCHING RECORD

TUSKEGEE INSTITUTE
ALABAMA

NUMBER OF LYNCHINGS

According to the records compiled in the Department of Records and Research of Tuskegee Institute, I find that 1 person was lynched during the year. This is 5 less than the number 6 for 1946; equivalent to the number 1 for the year 1945; 1 less than the number 3 for the year 1943.

The lynch victim was Willie Earle, a 24-year old Negro, charged with stabbing and robbing a white taxi driver. He was taken from jail by a mob, which mutilated his body with knife and bullet wounds. The state in which the lynching occurred was South Carolina.

BORDERLINE CASES

There were 6 borderline cases which are not included in the total number of lynchings for 1947 because, to date, sufficient evidence concerning them has not been obtained. These cases are as follows: Joe Nathan Roberts, at Sardis, Ga.; Red Marks, Tobe Marks, Joe Wickerson, and un unnamed Negro, at Oakwood, Fla.; and Charlie (Bud) Smith, in or near Angier, N. C.

LYNCHINGS PREVENTED

There were at least 31 instances in which lynchings were prevented—24 by officers of the law; 4 by persons who saved themselves from mobs; 2 by persons not officers of the law; and 1 in-

dispel any feeling of complacency. 1-31-48

stance in which the victim, left as dead by the mob, survived bullet wounds. Of these instances, 27 were in the Southern States and 4 [illegible]

PUNISHMENT OF LYNCHERS

During the year, 44 persons were under indictment as participants in lynchings or attempted lynchings, and 44 were freed. Very truly yours,

F. D. PATTERSON,
President.

WORLD TODAY

By George S. Schuyler

Tuskegee reports one lynching during 1947, in which a single Negro was done to death. That is a far cry from the days when there were a couple of lynchings a week. Think of that the next time anybody tells you that race relations in this country have not improved.

THE HOUSE Un-American Activities Committee will introduce a bill this month to compel Communists to list themselves as foreign agents. This will scare "innocents" and fellow travelers from the "front" organization organized by Reds. It will frighten many of our colored "intellectuals."

NAACP reports 234 new branches organized during 1947, which includes youth councils and college chapters. While the association apparently did not attain its goal of 1,000,000 members, it is the largest and most effective organization of its kind. Hardly a Negro of intelligence in the U. S. A. is not a member. Its record for 1947 is most commendable in defense of our interests.

efforts toward this goal. The sooner we get a federal law on the books calling for stiff penalties for lynchers, the sooner will the U.S. be able to set itself up as a model before the nations of the world.

HOW MANY LYNCHINGS IN 1947?

Although Tuskegee Institute lists but one lynching in the U.S. during 1947, AFRO records show at least two and eight others bearing all the earmarks and finality of mob violence.

In addition to the lynching of Willie Earle at Pickens, S.C. last February, the AFRO also lists as a lynching, the killing of Bud Smith at Dunn, N.C., in December.

The mass slaying of seven convicts at Brunswick, Ga., and the subsequent death of an eighth man wounded during the massacre, may not meet Tuskegee's definition of lynching but to us, they were just as much lynchings as the 1946 quadruple lynchings at Monroe, Ga., despite the fact that they were committed by so-called law enforcement officers.

We, therefore, cannot join with Tuskegee in hailing 1947 as a year in which lynching, as an American pastime, declined greatly, nor can we join those Southern dailies which point to the Tuskegee figure as indicating that there is no need for a strong federal antilynch law.

We hope that others, sincerely interested in the enactment of such legislation will not be misled and slacken their

Cite Lynch Drop With Warning

WASHINGTON, D.C.—The Washington Post, one of the Nation's leading liberal dailies, hailed the decline of lynchings in 1947 to one but added a word of caution: "Let no one suppose, however, that mob action has been entirely suppressed. The fact that one victim survived after being left for dead by mobsters, that six borderline cases are still under study by Tuskegee, that 31 mobs were thwarted, and that the one unmistakable lynching at Greenville, S. C. was an especially horrible affair ought to

Tuskegee's Lynching Record For 1947 Reports 1 Victim; 31 Persons Saved from Mobs

Tuskegee, Ala. — Tuskegee institute's department of records and research reported one lynching in 1947. The lynching record for 1946 was six.

The 1947 lynch victim was Willie Earle, 24, charged with stabbing and robbing a white taxi driver. He was taken from jail by a mob, which mutilated his body with knife and bullet wounds. The state in which the lynching occurred was South Carolina.

Borderline Cases

The report said six borderline cases were not included because of insufficient evidence. These cases are: Joe Nathan Roberts, at Sardis, Ga.; Red Marks, Tobe Marks, Joe Wickerson, and an unnamed Negro, at Oakwood, Fla.; and Charles (Bud) Smith, in or near Angier, N. C.

There were at least 31 instances in which lynchings were prevented, 24 by officers of the law; four by persons who saved themselves from mobs; two by persons not officers of the law; and one instance in which the victim, left as dead by the mob, survived the bullet wounds. A total of 39 persons, 33 Negroes and six whites, were saved from death at the hands of mobs.

Punishment

The report showed that during 1947, 44 persons were under indictment as participants in lynchings or attempted lynchings; and 44 were freed.

Yes One Lynching, But

One Negro was lynched in the United States during 1947, but 31 narrowly escaped the lynch mob, according to the Tuskegee Institute Department of Records and Research. "This," declares the release, "compares with 6 lynchings in 1946, one in 1945, two in 1944, and three in 1943." The one lynching victim for 1947 was Willie Earle, 24 year-old Negro charged with stabbing and robbing a white taxi driver in South Carolina.

The record shows that twenty-four lynchings were prevented by law enforcement officers; four by persons who saved themselves from mobs, two by persons not officers of the law, and one in which the victim, left as dead by the mob, survived bullet wounds.

As unpleasant as these facts may sound to, say a Russian or some other outsider unaccustomed to the American lynching pastime, what the report fails to show is even significant. It was Henry A. Wallace, in one of his appearances in Atlanta recently, who said that "while lynching shows a decline in the Nation, actually mob violence has taken on another form more serious in that police brutality is greatly on the increase." Who knows this any better than Negroes who live in the vast rural stretches of the South? And hence, we must fight just as vigorously to end police brutality as we are fighting to put an end to mob violence and lynching. For until all people, no matter their race, color or station, can receive their constitutional guarantees of a fair trial in a fair court there will remain the danger and shame to all Americans, at home and abroad.

Georgia Accounts For All 1948 Lynchings

TUSKEGEE, Ala. —(SNS)—According to the records compiled in the Department of Records and Research of Tuskegee Institute, two persons were lynched during the year. This is one more than the number for 1947; 4 less than the number 6 for 1946; 1 more than the number 1 for 1945; and equivalent to the number 2 for 1944.

One of the victims was William H Turner (alias Wilson Turner), a 26-year-old white farm tenant of Meriwether County, Georgia, charged with stealing cattle from his landlord. He was placed in jail but later released for lack of evidence. Upon leaving the jail, he was chased from Meriwether County into Coweta County by a group of white men, led by the owner of the stolen cattle, beaten and his body burned.

The other victim was Robert Mallard, 37-year old Negro of near Lyons, Toombs County, Georgia. There was no charge against him. His apparent offense was he had incurred the enmity of his white farm neighbors because of his prosparity. Motoring home late at night accompanied by his wife, baby and two of his wife's young relatives, he was waylaid by a group of white men, who blocked the road and shot him to death.

BORDERLINE CASES

There was one borderline case not included in the total number of lynchings for 1948 for the reason that in one respect only it does not conform to criteria used. This victim was Isiah Nixon, 28-year-old Negro, who insisted on voting in Georgia's Primary election after being advised not to do so. On the evening of the same day he voted, two brothers, white, went to Nixon's home and shot him. He died two days later in a hospital.

In a least 7 instances lynchings were prevented by officers of the law. All of these were in the Southern States. A total of 19 persons, all Negroes, were thus saved from death at the hands of mobs.

For participating in the lynching of William H. Turner, 1 person received the death sentence and persons were sentenced to life imprisonment.

Only Two '48 Lynchings Listed, One a White Man

TUSKEGEE, Ala., Dec. 30 (AP).—A white man and a Negro died at the hands of lynch mobs in the United States in 1948, Tuskegee Institute said today. Both were in Georgia.

The death of another Georgia Negro was listed as a "borderline" case because only two white men took part. A Tuskegee official explained that at least three must be involved before a slaying is recorded as a lynching.

Nineteen more Negroes were threatened by mobs during the year, but were saved by alert law enforcement officers, the report continued. Fourteen were in Mississippi, two in Alabama and one each in Georgia, South Carolina and Virginia.

POLITICAL DEMAGOGUERY, YELLOW JOURNALISM AND THE SOUTH

The Tuskegee Institute's report on lynchings in the South during the year 1948 is added proof of the ridiculousness of those meddlers outside the South who insist that Congress enact an anti-lynching bill.

The report, made by Dr. F. D. Patterson, president of Tuskegee Institute, and regarded as authoritative, shows that there were but two lynchings in Dixie this year. One victim was a Negro, the other a white man. Both occurred in the state of Georgia.

This is very similar to the report of 1947. That year there was but one lynching in the South.

As a result of these 1948 lynchings the courts gave one man the death sentence and sent three others to prison for life. In at least seven instances lynchings were prevented by officers of the law.

Obviously the South is coping with this problem. Obviously there is no need of federal interference. Obviously the effort on the part of the politicians outside of the South who harp on this subject shows that they are deliberately blinding themselves to the truth and purposely blinding those whom they seek to arouse.

newspapers of other sections should publish editorials throughout the North and East, lauding the progress of the South in this effort. The trouble is that there are some newspapers, like some of the cheap politicians of Harlem, South Chicago, and other places who prefer to wrap this subject in yellow journalism when treating with it.

But political demogoguery and yellow journalism will not lessen the ardor of Southern leaders who are determined to complete this task without interference from the outside.

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Instead of Big Crowds, Small Mob May Mete Out Punishment to Victims

Kosciusko, Miss., (NNPA)—Terror from a new form of lynching is rapidly spreading over Mississippi.

Instead of the wide publicity and big crowds attendant on the old style lynchings, a small mob may now met out summary punishment to the victim, or the law enforcement officer who took the victim into custody, may shoot and kill him under the pretense that he was attempting to escape, resisted arrest, or attacked an officer of the law.

The latest case involving circumstances suspicious of a denial of equal protection of the law is that of Wade Hughes, a young man, who was shot to death on February 2 by E. T. Lovo, a local policeman, but news of the shooting did not reach the press and public until February 7.

Policeman Love stated that he was called to arrest Hughes for allegedly attempting to force his way into a home on the local highway. On the way to jail, Love asserted, Hughes tried to overpower him. He shot Hughes several times, one bullet piercing his heart and causing instant death.

Vet Lynched

The following Tuesday, at Jackson, ninety miles south of Kosciusko, reports spread that Lacey Futch, a young colored veteran of [illegible] had been the victim of a mob who lynched him in Kosciusko on Monday.

The report concerning Futch began to spread when the Merchants Company at Jackson, which employed him as a truck driver, was called to come to Kosciusko and get the truck which Futch had driven and when had been left on the Kosciusko highway.

Futch left Jackson Monday, February 9, with a consignment of produce to be delivered at various points between Jackson and Kosciouska and, according to reports, became involved in a fight with a white man.

The Merchants Company, after obtaining the truck and returning it to Jackson, is said to have sent Futch's wife word that he was missing. After nothing was heard from him for several days, his wife and mother called the sheriffs and chiefs of police at Kosciusko and Durant.

Both towns had been mentioned as the scene of the incident. At both places the law enforcement officers said there had been no incident involving Futch or any other colored man and white persons during the week.

The family then called upon Jackson police department and Hinds County law enforcement officers [illegible] Jackson office of the Federal Bureau of Investigation was asked to investigate. The FBI told the family it had no authority to initiate an investigation without orders from Washington and took no action in the case.

The Anti-Lynching Law

In Chicago a mob killed a man the other day in what the police of the Illinois city explain away by saying that "some of the gangsters have muscled in on the juke box business."

As killers go the members of the Chicago mob were unusually persistent. Their victim fled for his life down a side street, but the mobsters pursued him in an automobile, firing at him as he ran. When he tripped over a fence they finished the job and him.

This killing, since it took place in Chicago and the victim was not a Negro, but a white man, is not called a lynching and it will not be listed in the lynching statistics as a lynching.

But it has many of the elements that enter into what are called lynchings when they occur in the South. The members of the mob, doing the muscling in, like lynch mobs insisted in taking the law into their own hands. The victim, if he wasn't accused of violating some law—and he might have been guilty of law violation—was accused of refusing to take orders from the rival gangsters, in other words of insisting upon his civil rights.

And like most lynchings it could have been prevented if the police of Chicago had been alert to what was going on around them and had taken the necessary steps to enforce the laws. Mob killings everywhere grow out of the disrespect of the mob for the laws of the land and in most instances, North and South, they are evidence that the law has not been too well enforced in the community concerned.

Yet the proposed anti-lynching law would not apply to this mob slaying in Chicago. It is so drafted that it would not apply. The F. B. I. isn't investigating this lynching. The juke bok owners do not constitute an organized minority. They are simply citizens, entitled to the equal protection of the laws.

WESTBROOK PEGLER

When Is a Lynching Not a Lynching?

NEW YORK—The Governors of Iowa and Minnesota recently called out the National Guard to restore peace where strikers of the CIO had cowed the local police. In both cases, the police power had abandoned communities to mobs aroused by professionals.

Directed mobs, such as the CIO employed in the terrible civil wars in Michigan, Ohio, Indiana and other States when John L. Lewis was Chairman, are more efficient than packs of wild-eyed brutes roving over a town.

The directed mob is military. It feints to draw off the cops, then strikes in another part of town. It knows how to do the most damage and where to strike the jugular such as the switches in the municipal power plant.

The Union mob, whether disciplined or wild, is more dangerous than the lynching mob, usually regarded as a Southern institution. This can be shown by records of deaths, injuries and destruction. In the years since Roosevelt took over, there has been little mob violence in the Southern States as compared with the great strongholds of those Roosevelt political auxiliaries, the CIO and the AFL, in the North and along the Pacific Coast. And much of that lesser Southern record also was the work of Roosevelt's Union goons.

There have been thousands of riots and, according to legal definition of a lynching offered in all the Communistic antilynching bills, there have been literally thousands of lynchings in Roosevelt's Union territory in those years. Lynching, in the definition of those bills, may be nothing worse than a slap in the face in a community whose local government fails to do its utmost to prevent the outrage.

Thus there were hundreds of lynchings in the recent Minnesota Packers' Union riots. Actually the ratio of fatal lynchings by Roosevelt's Union adherents in the North and Far West during the years of civil war maintained by the Unions to those executed by Southern mobs is at least 20 to one. Moreover, in most of the Southern lynchings, the lynchees probably were guilty and would have been put to death anyway, had they gone to trial. But in the fatal lynchings done by the Roosevelt mobs in the Union wars there was no violation of any law.

The Roosevelt regime, inherited by President Truman, has frankly insisted that its own mobs have a special right to riot and lynch. All the antilynching bills have special clauses which exempt violence and lynchings attributable to any "labor" disturbance. That term might mean a strike by a legitimate Union of law-abiding citizens against an employer for higher pay. However, a "labor" disturbance exists legally under the New Deal rulings wherever any Union racketeer tries to extort $1,000 from an employer and calls a strike when the boss turns him down. If a citizen walks through a picket line of strangers from out of town and they beat him up, that is lynching in the definition of the antilynching bills, except that the New Dealers call the situation a "labor" disturbance.

The citizen-soldiers who are called on to redeem the criminal failures of mayor, chiefs of police, sheriffs and the governors, themselves, when rioting breaks out, may be subject to charges of murder, assault and conspiracy to violate the constitutional rights of the local people. They may be subject to damage suits for the deaths of rioters or innocent persons caught in the middle, for injury, indignity and so forth.

The Governor of Minnesota had publicly expressed sympathy for the strikers and contempt for the legal rights of the nonstriking, law-abiding employees who were being mobbed. Then the mob got out of control because the police authority, taking its cue from the State House, fell back rather than maintain the law. Thus the mob got the initiative and went crazy.

Not once in 100 cases would the call for troops be necessary but for the failure of guilty politicians below. The Unions elect the local mayor, and the mayor therefore promotes some popular fathead on the force to be chief of police. When mobs form, the chief plays good fellow and asks them not to get too rough. Now the mob tastes blood. A nonstriker goes down bleeding from a club on his head. The crash of windows is exciting. The mob is a mad dog, slashing, destroying as it runs.

Guilty of cowardice and betrayal of trust in the first place, the chief of police announces

front ranks. The mob closed with the troops, grabbed the guns, took the initiative and chased the soldiers, empty-handed, to their barracks, hooting and jeering. 6-17-48

That could happen here when the National Guard is ordered out to restore order in a gentle way, sparing some governor's friends.

When American troops are called for riot duty there should be no such thing as "modified martial law," but local police and sheriffs all have plenty of law and weapons on their side. They should kill, if necessary, to put down riots at the start, and kill to quell them once they do start. When mobs know this will happen they will rarely make it necessary for any governor to call out the National Guard.

7826

EVELYN HANNA

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Galway--Where Lynching Began

The Constitution Atlanta, Ga.

GALWAY—Half a millenium ago this ancient city was one of the great ports of the world. Christopher Columbus stopped here and offered up in St. Nicholas' Church a prayer for the success of the voyage he was about to make in search of a new world—a voyage that led to the discovery of America. One of the most famous salmon fishing streams in the world runs through the heart of the town. The most beautiful tweeds in the world, those of Donegal and Connemara, are marketed here. Sun. 5-30-48

The county and its neighbor have seen the departure of so many of their sons and daughters for America that the Irish have a wry joke about it: "The capital of Connemara is not Clifden, it is Boston." A vigorous old man on the train told us of seeing them leave, whole families at a time, when he was a boy. "You saw the Aran Islands?" he asked. "Well, beyond that there is no bit of land between Galway and America. The American ships used to come into the harbor long before my time, a century ago, to get men to help build the American railroads. I think the fare was £3 then. In my boyhood it was £7—$28—but that was a lot of money for these people. I'd see them going on board, and everything they had was wrapped in shawls. They carried tea, teapot, a straw mattress and some loaves of bread, and they were packed in like cattle. It was the famine in the 1840s that started them leaving, and it's never stopped."

The Aran Islands which he mentioned lie just off the coast, unspoilt and beautiful. It was John Millington Synge who first made famous these picturesque fishing people who still lead lives of simplicity, dourness and tragedy. Nowadays the painters and writers flock there in Summer to spend a few hours soaking up history and impressions, but extremely few are ever admitted to friendship with the people. They only speak Gaelic; English is not used at all.

The Constitution

Today the town of Galway is half old, half new, full of legend, and offering incomparable scenery along its Atlantic coastline.

The little Catholic Church where Columbus knelt to pray is now incorporated into a much larger edifice that is Protestant in faith. Here lies the vault of the Lynch family, about whom I'll tell you presently, and rare old graves of guild workers whose trade implements are engraved on their slabs. Atlanta, Ga.

The Spanish Arch still stands and is owned, I was told, by a niece of Winston Churchill, a painter who occupies the charming dwelling that adjoins it. Just beyond it are the few cottages remaining from the Claddagh, once a beautiful fishing village with its own chieftains and own laws. The walls of these whitewashed cottages are three, sometimes four, feet thick; the windows are tiny, and on the stone or dirt floors of two rooms untold generations of hardly children have grown up. But some did not. The curse of the country is tuberculosis. In the poorer districts it afflicts both humans and cattle, but the Government is working hard to eradicate it.

In those thatched cottages are peat fires that have not gone out for five or six hundred years. When they are not needed for heat, they are used for cooking. You'll find no electric stoves, gas ranges, or even coal and wood stoves in them; the two latter commodities are priceless, the former almost unheard of.

But this is not to imply that all Galway is backward and poor. Far from it. And on the west coast of the town there is growing up a suburban resort, Salthill, which may some day be an unfortunate reproduction of Brighton.

Before the hotel doors, however, pass donkey carts such as Columbus must have seen, black-shawled women walking beside them, bringing in a load of turf to sell at the Saturday market.

There are white swans idling along the ocean's edge, and on the River Corrib, too, where early in May literally thousands of salmon leap the weir to go upstream to spawn.

The old streets are narrow, winding; new ones around Eyre Square are broader, and in the park sits a whimsical figure, the statue of Padriac O'conaire, a story-teller, with one foot twisted around the other, so quaint, so appealing that he steals your heart.

27j

Only a few hundred yards away is the building where the first lynching in history is said to have taken place. The story goes like this: In 1493 John Lynch FitzStephen, Mayor of Galway, went over to Spain to improve relations between that country and Galway. He was entertained by a rich merchant named Gomez, whose son, a handsome young Spaniard, returned to Ireland as his guest. Lynch had a son named Walter, and the two young men became friends. Walter Lynch was in love with a girl named Agnes, whose father, a merchant of Galway, spoke Spanish perfectly, and was delighted to welcome the young Spaniard to his house. Some say that the young Spaniard seduced the girl. At any rate, Walter Lynch became madly jealous, and one day, in the height of his passion, he stabbed the Spaniard and threw his body into the sea. Sun.

Walter Lynch was arrested and confessed his guilt. His father, as Mayor, pronounced the death sentence. But no man in Galway would execute the boy! The mob attempted a rescue, but before this could be made, and in sight of the crowd, Lynch hanged his own son. 5-30-48

"He had to do it," the people will tell you "for the honor of Galway. His son had not only committed murder, he had violated the laws of hospitality. After the hanging Lynch went to his home, and was never seen again by living man."

It is by the strangest perversion of meaning that "lynch law" means today the vengeance by a mob on a criminal.

BEGIN 1949

Weston

Rose-Rite Bond

COTTON FIBRE CONTENT

7684

Negro Rape-Suspect Lynched In Florida

TALLAHASSEE, Fla.—(INS)—Florida highway patrol headquarters said Tuesday night that a Negro identified as Ernest Thomas was killed by a posse near Perry, Fla., Tuesday.

Thomas was identified by Sheriff W. V. McCall of Lake county as one of the four Negroes who criminally assaulted a young white woman at Groveland July 16, patrol headquarters said.

Tallahassee patrol headquarters did not have full details of the killing. Sheriff McCall of Lake county or the Sheriff of Taylor county at Perry could not be reached immediately.

The assault set off a series of terrorist raids and the Florida national guardsmen were called into the area to maintain peace.

Several Negro houses in the county were burned during the peak of the reign of mob violence.

Thomas has been sought since the arrest of the other three Negroes involved in the robbery of the woman's husband and the attack on her.

The three Negroes were indicted immediately following the incident. The jury, however, adjourned without taking any action against participants in the terrorist raids.

Negro Rape-Suspect Lynched In Florida

TALLAHASSEE, Fla.—(INS)—Florida highway patrol headquarters said Tuesday night that a Negro identified as Ernest Thomas was killed by a posse near Perry, Fla., Tuesday.

Thomas was identified by Sheriff W. V. McCall of Lake county as one of the four Negroes who criminally assaulted a young white woman at Groveland July 16, patrol headquarters said.

Tallahassee patrol headquarters did not have full details of the killing. Sheriff McCall of Lake county or the Sheriff of Taylor county at Perry could not be reached immediately.

The assault set off a series of terrorist raids and the Florida national guardsmen was called into the area to maintain peace.

Several Negro houses in the county were burned during the peak of the reign of mob violence.

Thomas has been sought since the arrest of the other three Negroes involved in the robbery of the woman's husband and the attack on her.

The three Negroes were indicted immediately following the incident. The jury, however, adjourned without taking any action against participants in the terrorist raids.

NAACP To Defend Accused Fla. Trio

By RAMONA LOWE
(Defender Florida Bureau)

GROVELAND, Fla. — The NAACP swung into action here last week after one of the alleged rapists of a white woman was lynched by a posse.

Attorney William A. Fordham of Tampa has been retained by the NAACP to defend the three other youths indicted on charges of kidnapping and assault of Mrs. Willie Padgett and her husband.

A coroner's jury in Madison, after a closed hearing, found the 100-man posse that shot down Ernest Thomas justified in its action.

According to reports, Mrs. Padgett was carried to Madison to view Thomas's body, where she identified him as one of her attackers.

No details were available as to the disposition of Thomas' remains which were first reported being brought here. The 20-year-old lad was tracked down by bloodhounds in the woods near Shady Grove in Taylor County.

Sheriff McCall who was not with the manhunters, nevertheless, was quoted as describing Thomas as belligerent with a loaded pistol in his hand and his finger on the trigger.

Question Rape Charge

There are those here who question that any criminal act was performed by the accused quartet on the Padgett woman and have said that she entered the boys' car of her own free will.

The terror that followed the incident was described by eyewitnesses as unlike anything they had ever seen. Negroes returning from work Saturday evening were told that they could not go into Groveland to market because there was trouble.

The general store, owned by a man named Edge, who also has citrus holdings reputedly sold out its supply of guns that day

Lynched, Notwithstanding

We have to record the death of Ernest Thomas, Negro rape-suspect, who was killed by a posse near Perry, Florida Tuesday, as another lynching to be added to the 1949 roll. Numerous other slayings and killings should be so recorded but none of these is as clearcut and undeniable as that of Caleb Hill in Georgia and now that of Ernest Thomas in Florida.

Except for the fact that criminal indifference seems to have been the greatest single contributing factor in Hill's lynching, the death of Thomas Tuesday was in some respects worse than Hill's because for more than a week local police in and around Tavares and its environs, together with detachments of National Guardsmen, policed the area and were thoroughly alerted to the mob spirit. More than 400 Negroes were evacuated from their homes to areas of safety. Members of the mob shot into Negro business places when they were repulsed from the court-house by the sheriff. And homes of Negro residents were burned.

We repeat, with the atmosphere charged with all of this irresponsible disorder and with the local and National police power alerted to the mob spirit, the lynching never should have taken place. And whether the lynching occurred in Lake County, where the trouble started or in Taylor County, the result is all the same. As things stand now, the wrong man may be dead. But dead or alive, mob violence can never be substituted for orderly process. Lynching and mob violence are giving America a blackeye all over the world. Responsible citizens ought to help blot it out.

7829

RALPH McGILL

The Constitution

Meditations In a Hammock

27a

I went home and put on my "resting clothes" —old shoes, shirt and pants—and got into my hammock beneath the big oak tree to think things out.

Atlanta, Ga. Jul. 7, 49

I had five letters with me. One was from Atlanta. Four were from smaller cities. One was from Irwinton, one from Milledgeville, one from Hapeville, and another from Macon. They were letters selected from others because they seemed to have been written by persons honestly puzzled. They were not letters from men so brutalized that murder seemed all right to them. Nevertheless, they were disturbing letters.

They were disturbing because they were so badly in error, illustrating thought which is dangerous to them, their State and their country.

I know there are mean, vicious persons to whom human life is meaningless. These belong in a special category of consideration. These letters did not seem to be from such persons.

Questions These letters I had selected were defensive letters. The writers of them had read newspaper criticism of the reported news that last year Georgia had the only two lynchings in the United States and that this year Georgia had already chalked up the nation's only lynching for 1949.

The letters took this line of argument:

(A)—Why is it when a Negro kills a white man there isn't any great fuss about it, and (B) the North has a lot of gang killings. Why don't people get upset about them?

Now, I selected those letters and threw away others because the writers of them seemed genuinely to be concerned. They were not so debased morally that they would argue there was no use being concerned over just another Negro killing. I took them to be asking questions which to them seemed valid.

The Constitution Atlanta, Ga.

Analysis I think that much of our thinking in the South has been poisoned by leadership through the years which has tried to say that if we give the Negro a fair trial, prevent police brutality, allow him an opportunity to work and draw the wages paid anyone else for the same work, that this constitutes social equality. We have had too much of the false and wicked demagogic writing and shouting which talks about mongrelizing the races, mingling the races, and so on, every time an effort is made to be just and fair. That has made it difficult for us to think straight.

27a Jul. 6-7-49

Wrong I admit to being burned up, as the saying goes, that the good people of this State should be presented to the world in the light which our criminal, vicious element presents us—the only State with lynchings in 1948 and 1949.

I also am on fire with resentment against those who are so smugly apologetic about it. Our State and our people deserve better and it is no longer possible to go along accepting as inevitable the fact that two or three times a year a group of evil, godless men shall be allowed to violate the law, thwart the course of juries and judges and be exempt from the law.

I hope and trust that the manhood of the State will rise and assist the Federal Government and any other agency which is seeking to discover the guilty.

That's my position. I want it clearly understood. I believe it is the position of 95 percent of the people of Georgia.

Proposition Now, to get back to the letters. I want to put a proposition in the simplest, clearest language of which I am capable. Here goes:

IN THIS COUNTRY OF OURS, WHERE WE FREELY MAKE OUR OWN LAWS, IT IS OF VAST IMPORTANCE THAT EVERY PERSON IN THIS COUNTRY BE ABSOLUTELY SECURE IN THE KNOWLEDGE THAT HE WILL GET A FAIR TRIAL, NO MATTER WHAT THE CHARGES AGAINST HIM, WITHOUT REGARD TO WHAT PART OF THE COUNTRY HE LIVES IN, HIS COLOR OR WHETHER HE BE RICH OR POOR.

Is that plain and clear enough?

Is there any person of sound mind who does not believe that? That just has to be the way it is—in Georgia or New York, Florida or California.

The only way we can achieve that is for every person to believe it and assert it and to go after all those who seek to prevent it—every sheriff, every deputy, every person who tries to upset that basic foundation of our Government.

Gangs A gang killing grows out of an underworld war. This country became so aroused about gang killings that it created a larger FBI to help deal with it. The prisons bulge with gangsters. They rarely escape. There is concern about gang killings.

There isn't a "fuss" when a Negro kills a white man. There is always a trial and there is almost always an execution by electric chair.

The point is—the law operates. Juries convict. Judges sentence.

In lynchings the man is killed because of what he is. The juries don't get a chance to try. The judges don't have an opportunity to sentence. The law is bypassed. That's why there is a fuss about lynchings and that's why there must be a fuss—an increasing fuss.

Every person in this country has a right to a fair trial, no matter what the charges, no matter what his color, his State or his station in life.

We can't avoid that.

And no one ought to wish to avoid it.

NEGRO TAKEN FROM GEORGIA JAIL, LYNCHED

27a The News

Tuscaloosa, Ala.

Sheriff's Wife Says Mob Took Prisoner; Her Husband Absent

Mon. 5-30-49

IRWINGTON, Ga. — (AP) — A young negro accused of shooting at a white man was taken from jail by a mob here last night. His body was found today at nearby Sandy Creek.

27a

First reports did not disclose the cause of death. The negro had been arrested after Sheriff George Hatcher charged he was fired upon at a juke joint where he had gone to quiet a disturbance.

The negro was Claip Hill, 28. Word of his death was received by the sheriff's wife in a telephone call from Sandy Springs.

Mrs. Hatcher said a group of white men drove up to the jail last night while her husband was absent and demanded the negro. They took him away.

The sheriff had gone back to the juke joint to get his pistol, which he had lost in the earlier melee with Hill. 5-30-49

Police Chief J. Fountain of nearby McIntyre gave the following account of incidents leading up to Hill's abduction:

Sheriff Hatcher received a call concerning a disturbance at a night spot operated for negroes. He arrested and put handcuffs on Hill and then felt his gun being removed from his pocket. He turned quickly but the negro wrestled with him and fired at the sheriff.

The law enforcement officer shouted for help, but none of the other negores in the establishment came to his rescue at first. Eventually another negro handed him a gun and the sheriff marched Hill off to jail.

Mrs. Hatcher said the sheriff was not hit by any bullets. He was bruised about the body and his shirt was torn from his back.

She said the sheriff had gone back to the place to hunt his gun when the men came and took the negro. Chief Fountain said that he and his assistants heard of the disturbance and went to the aid of the sheriff but found everything under control.

Mob Lynches Young Negro In Georgia

27a The Sun

IRWINTON, Ga., May 30 (AP)—A young Negro was taken from a jail cell in the sheriff's residence early today and shot and beaten to death.

The Negro, Caleb Hill, Jr., 28, was arrested after a disturbance about midnight at a Negro roadhouse. Sheriff George Hatcher said Hill had seized his gun and fired at him when he arrested him.

The sheriff said Hill had "the worst reputation I'd ever heard of" and that he had arrested Hill several times before.

After placing Hill in jail, the sheriff called State troopers and went back to the roadhouse to get his pistol, which had been taken from him in the scuffle. Two unmasked white men then slipped into the jail on the second floor of his home and took Hill, Hatcher said.

Keys Left On Table 27a

Hatcher had left his keys on the table in the dining room of his home. His wife and daughter were asleep in downstairs rooms.

Another Negro prisoner in the jail, Tom Carswell, said he saw the two men enter, and "they really looked like they were coming to get Hill." Carswell could not identify them.

Mrs. Hatcher said she heard a car drive up to the jail and a door slam, but thought it was her husband returning.

A six-man coroner's jury ruled that Hill "came to his death by gunshot wounds, being shot through the head by hands unknown." Sun. 5-31-49

No Gun or Suspects

Coroner C. C. Thompson said he would not remove the bullet unless ordered to by "higher authority—somebody like the Governor."

"If we had a gun to match the bullet with, or some suspects, it would be different," Thompson said. "But we haven't got a gun or any suspects."

Carswell, who was in the same cell with Hill, testified the slain man made no struggle or plea of any kind when the two white men told him: "Come on, let's go."

Carswell said he knew virtually everybody in this area and that he had never seen the two men before and could not identify them if he saw them again.

Hill's body, badly beaten and with bullet holes in the heart and neck, was found about 7 a.m. by a creek near Irwinton. It was the nation's first lynching of 1949.

Hatcher said he went to the night club alone when he received a report Hill had stabbed another Negro.

As he was putting handcuffs on Hill in the club, in which there were about 100 others, someone grabbed his gun, the sheriff related. Sun. 5-31-49

"Hill tackled me and the next thing I knew he had my gun and fired at me. It looked like my days were numbered.

"I yelled for help and another Negro handed me his gun. I then turned it on Hill and marched him out to my car. I didn't stop to get my gun."

The sheriff said he wasn't hit by any bullets but that he was bruised and his shirt torn.

"I took Hill to jail and put him in my best cell," he added, "and then left to look for my gun. Someone had thrown it out a window and it took me about two hours to find it in the woods nearby.

"When I returned home I went straight to bed without looking in on Hill. The first thing I knew about his being killed was when I was called to identify a body this morning.

"When I first heard about it I thought of the Ku Klux Klan, but no one remembers seeing anyone hooded around town."

Hill, the sheriff said, previously had been arrested for shooting a small white boy.

Irwinton is a town of 800 in middle Georgia, about 20 miles east of Macon. It is the county seat of Wilkinson County, a sparsely settled rural area.

First Incident of Kind In Nation This Year

Tuskegee, Ala., May 30 (AP)—The mob killing of a Negro in

A Significant Sign of Progress

The Constitution, Atlanta, Ga.

Two men have been arrested in connection with the lynching of a Negro in Wilkinson County.

All decent citizens will applaud the progress this move indicates. And it is more than significant, we think, that the arrests were made by agents of the Georgia Bureau of Investigation.

Gov. Talmadge is to be commended for ordering the GBI into the case. A determination to see that justice is done will do much to redeem Georgia in the eyes of its just critics. For the blight on Georgia's record in the past has come not merely from the fact that lynchings were committed, but that little, if anything, ever was done to apprehend the lynchers.

Arrest of two suspects in Wilkinson County is an encouraging sign that we are coming out of that stage. Indictments and trials yet remain. The defendants have every assurance of a fair and impartial trial, a right which the lynchers denied the Negro they took from the jail and shot to death.

Progress is being made—slowly and painfully, it is true, but surely. This is apparent when we recall it has been only a few years ago that seldom if ever was there an arrest after a lynching had occurred.

We think the decent, thoughtful people of Georgia—who far outnumber the Klan type—are largely responsible. The press, with a few notable exceptions, has done its bit, too. And there is evidence that Gov. Talmadge, despite pressure from many sources, has sided with this group.

Negro Taken From Jail and Slain After Georgia Arrest for Fighting

Special to The New York Times.

IRWINTON, Ga., May 30—A young Negro was taken from a jail cell in the sheriff's residence early today and shot and beaten to death. The lynching was the country's first this year.

The Negro, Calif Hill Jr., 28 years old, was arrested after a disturbance about midnight at a Negro roadhouse. Sheriff George Hatcher said Hill had seized his gun and fired at him when he arrested him. The sheriff said Hill had "the worst reputation I'd ever heard of" and that he had arrested him several times before.

After putting Hill in jail the sheriff called state troopers and went back to the roadhouse to get his pistol, which had been taken from him in the scuffle.

Two unmasked white men then slipped into the jail on the second floor of his home and took Hill, Mr. Hatcher said. He had left his keys on the table in the dining room. His wife and daughter were asleep in downstairs rooms.

Tom Carswell, another Negro prisoner in the jail, said he saw the two men enter, and "they really looked like they were coming to get Hill." Carswell said he could not identify them. They went out the back door of the house, leaving the keys in the kitchen.

Mrs. Hatcher said she heard a car drive up to the jail and a door slam, but thought it was her husband returning.

A six-man coroner's jury ruled that Hill "came to his death by gunshot wounds, being shot through the head by hands unknown." Hill's brother George was in the room when the verdict was returned.

Dr. W. M. Puckett testified that death was caused by a bullet that entered Hill's head two inches above the left ear. Another bullet lodged near the victim's heart, he said.

Coroner C. C. Thompson said he could not remove the bullet unless ordered to by higher authority, somebody like the Governor.

"If we had a gun to match the bullet with, or some suspects, it would be different," Mr. Thompson said. "But we haven't got a gun or any suspects."

Carswell, who was in the same cell with Hill, testified that Hill made no struggle or plea of any kind when the two white men told him: "Come on, let's go."

Carswell said he knew virtually everybody in this area and that he had never seen the two men before. He said he could not identify them if he saw them again.

Hill's body was found about 7 A. M. by a creek near Irwinton. He had been badly beaten before he was shot.

Mr. Hatcher said he went to the nightclub alone when he received a report that Hill had stabbed another man, also a Negro. As he was putting handcuffs on Hill in the club, in which there were about 100 others, someone grabbed his gun, the sheriff related.

Sheriff Bruised in Fight

"Hill tackled me and the next thing I knew, he had my gun and fired at me," he said. "It looked like my days were numbered. I called for help and another Negro handed me his gun. I then turned it on Hill and marched him out to my car. I didn't stop to get my gun."

The sheriff said he was not hit by any bullets but that he was bruised and his shirt was torn.

"I took Hill to jail and put him in my best cell," he added, "and then left to look for my gun. Someone had thrown it out a window and it took me about two hours to find it in the woods near by.

"When I returned home I went straight to bed without looking in on Hill. The first thing I knew about his being killed was when I was called to identify a body this morning.

"When I first heard about it I thought of the Ku Klux Klan but no one remembers seeing anyone hooded around town."

Hill previously had been arrested for shooting a small white boy, the sheriff said.

Irwinton is a town of 600 in middle Georgia, about twenty miles east of Macon. It is the Wilkinson County seat, in a sparsely settled rural area.

Two Are Cleared In Slaying Of Jailed Negro In Georgia

Montgomery Advertiser

IRWINTON, Ga., June 14—An all-white grand jury today freed two white men of any guilt in connection with the lynch-murder of Negro Caleb Hill, Jr., 28.

The jury, after an all-day investigation in this rural Georgia county seat, ruled there was not enough evidence to bring the pair to trial.

Dennis Lamar Purvis, 37, cafe operator and well-to-do business man, and Malcolm Vivian Pierce, 27, electrician, had been held for nine days in the jail from which Hill was taken and shot to death May 30.

The Negro's widow swore out murder warrants against the two white men. Georgie Bureau of Investigation Agent H. M. Spurlin, Sheriff George Hatcher and Solicitor C. S. Baldwin said before the investigation they were "sure" they had enough evidence to obtain some indictments.

12 Witnesses Appear

The grand jury had 12 witnesses, including law enforcement officers and three men who were in jail when Hill was seized.

Solicitor Baldwin said the combined investigation of local, state and federal officers had produced indications that one of the three in the jail, W. F. Walston, could identify the men who opened the door to Hill's cell and said:

"Come on, boy, let's go."

Baldwin said Walston's statement was not backed up by others in the jail.

Before retiring into privacy the grand jury foreman, Baptist Preacher Howard D. Blalock, prayed for "justice without prejudice."

Sheriff Is Cleared

Solicitor Baldwin emphasized that the investigation had removed "any question of doubt" about Sheriff Hatcher's blame in the incident.

"Most Georgia sheriffs would have shot the Negro instead of taking him to jail," Baldwin added.

Hill was arrested by Sheriff Hatcher at a Negro roadhouse. Hatcher said he had been called to investigate a report Hill had stabbed another Negro.

The sheriff said Hill managed to get his gun in the scuffle and fired at him. The sheriff put Hill in jail and went back to look for the pistol. While he was away, the sheriff added, two white men entered the jail, found his keys, and took Hill.

Lynch Case In Wilkinson Jails Two

McIntyre Men Held By GBI on Seizure, Death After Cell Raid

Constitution State News Service

IRWINTON—Arrest of two white men in connection with the lynching of a Negro, who last week was abducted from the Wilkinson County jail and shot, was disclosed last night by the Georgia Bureau of Investigation.

GBI Lt. H. M. Spurlin said he and Special Agent Henry Walden last night lodged two McIntyre men in the Wilkinson County jail on charges of suspicion of murder.

Spurlin listed the pair as Dennis Lamar Purvis, 37, operator of a grocery store and cafe, and Malcolm Vivian Pierce, 27, an electrician.

Spurlin said Tom Carswell, who occupied the jail at the time Caleb Hill was forcibly removed, said two white men were involved in the abduction. Spurlin declined to reveal whether Carswell has identified the two as the pair who whisked Hill from the jail.

The GBI official refused to disclose evidence upon which he had arrested the pair. He said he would ask indictments, however, when the Wilkinson County Grand Jury holds a special session June 14. He said he had sufficient evidence to obtain indictments.

Hill had been arrested last week by Sheriff George Hatcher. A scuffle between Hill and Sheriff Hatcher was reported, after which Hatcher locked Hill up in the jail.

Hatcher explained he then went to recover his pistol, lost in the scuffle, and that during his absence from the jail Hill was abducted. His body was found early the next morning.

27a 1949

Georgia

7830

Widow Tells Of Lynching

The Washington Post.
Washington D.C.

The widow of a Georgia lynching victim here last night urged enactment of the civil rights program, especially a Federal antilynching law, "so that no one else will have to go through what I've been through."

A crowd estimated at 2000 crammed into All Souls' Church (Unitarian) to hear Mrs. Amy Mallard tell of the lynching of her husband and then make an impassioned appeal for civil rights legislation.

In a tried halting voice, the Lyons (Ga.) schoolteacher related that last November a mob of hooded and robed men stopped the Mallards car and shot her husband to death. Mon. 2-7-49

Sponosored by the Washington chapter of the National Association for the Advancement of Colored People, Mrs. Mallard's speech was the first in a series that will take her, under national NAACP auspices over most of the country, except the South.

WELL-TO-DO GEORGIA FARMER

Bainbridge, Ga.- A wealthy Negro farmer, owner of a 200-acre tract in Northeast Decatur County was shpt to death Friday by four or five white men whom he ordered from his fish pond.

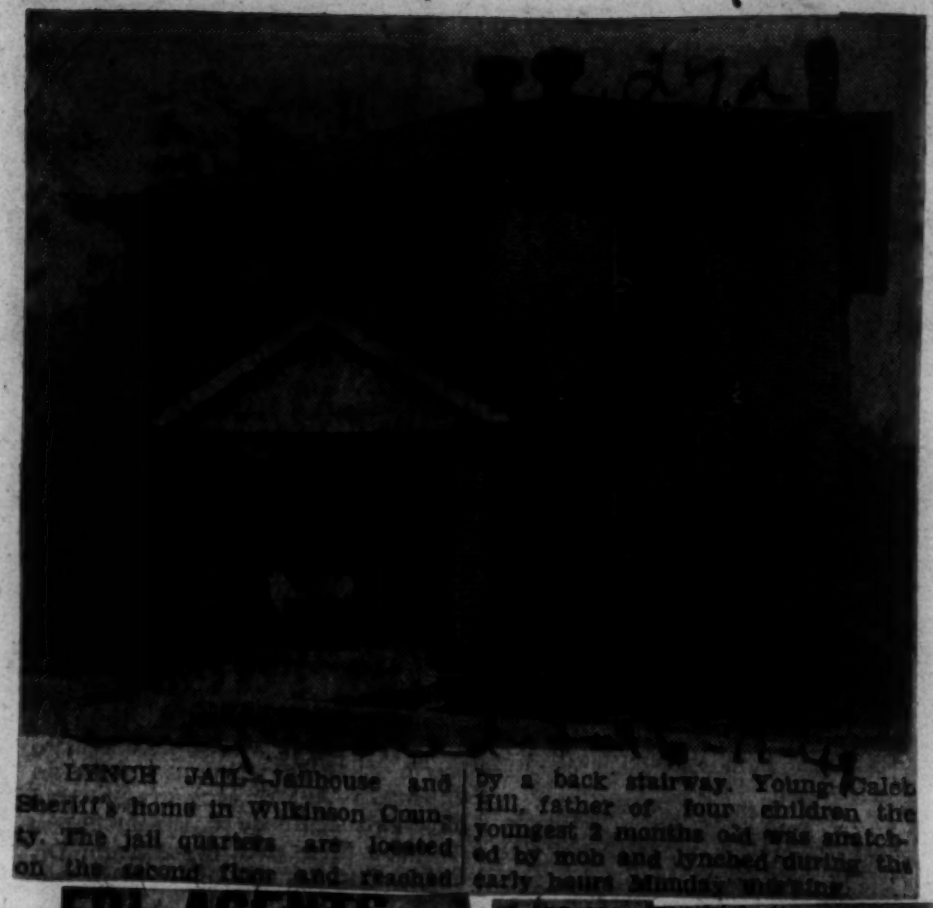
Sheriff A.E. White reported Saturday that the body of Hollis Riles, age 53, was found riddled with buckshot. He had been hit 13 times apparently from shot gun blasks.

The onlt witness to the shooting was Jesse Gordon, 52 who told the sheriff he had gone with Riles to the pond to fish lare Friday. Soon after they arrived, four or five white men appeared on Riles' property and attempted to fish in the pond.

Riles objected to their trespassing on his land and ordered them off. The white men, angered at the order, drew guns and fired while he and Riles fled for their lives.

At the inquest Saturday, the jury returned a verdict that the wealthy farmer had been slain by "unknown parties."

Defender
Chicago, Ill.
Sat. 9-10-49



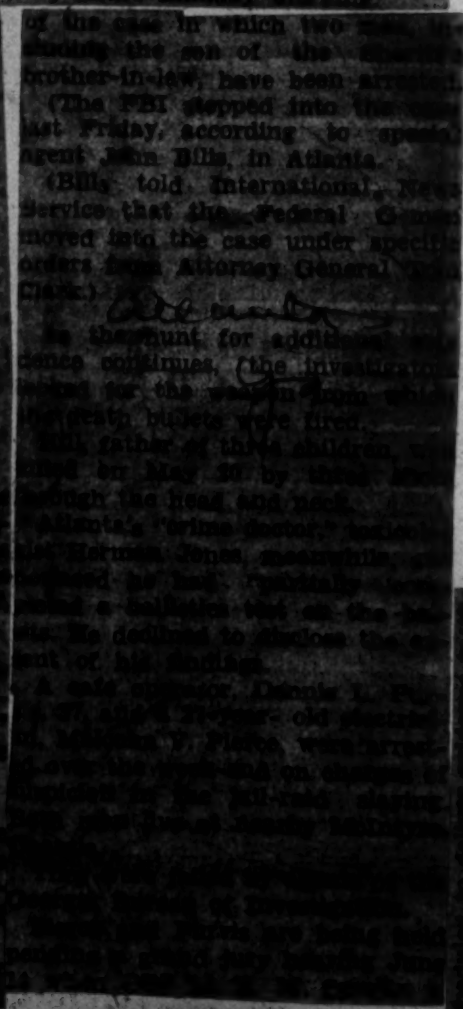
LYNCH JAIL--Jailhouse and Sheriff's home in Wilkinson County. The jail quarters are located on the second floor and reached by a back stairway. Young Caleb Hill, father of four children the youngest 2 months old was snatched by mob and lynched during the early hours Monday morning.

FBI AGENTS PROBING LYNCHING

Ballistics Test 27a

On Fatal Bullets

Partially Completed



7831

"IT WAS HORRIBLE"—Those words told how Mrs. Amy James Mallard, widow of Georgia-lynched Robert Mallard, prosperous salesman, felt about the midnight ambush-slaying of her husband on a lonely county road in Georgia last Nov. 20. She'll tell everyone her story on her tour sponsored by the NAACP. —Keystone Photo.

NAACP Names Prosecutor In Mallard Lynching Case

CORDELE, Ga.—Atty. W. W. Larsen, of Dublin, Ga., solicitor general of the Dublin circuit, has been retained by the NAACP to prosecute men held responsible for the lynching of Robert Mallard on November 20.

William L. Howell and Roderick L. Clifton, white, charged with the highway killing of Mallard as he and his wife were on their way home from church in Toombs county, will be tried at a special session of court January 11. The two were indicted December 11 by a special grand jury following Mrs. Mallard's charge that they murdered her husband.

Mrs. Mallard signed an official retainer asking NAACP help in the prosecution and in raising funds to maintain herself, her children and the two material witnesses to the killing, William and Angeline Carter.

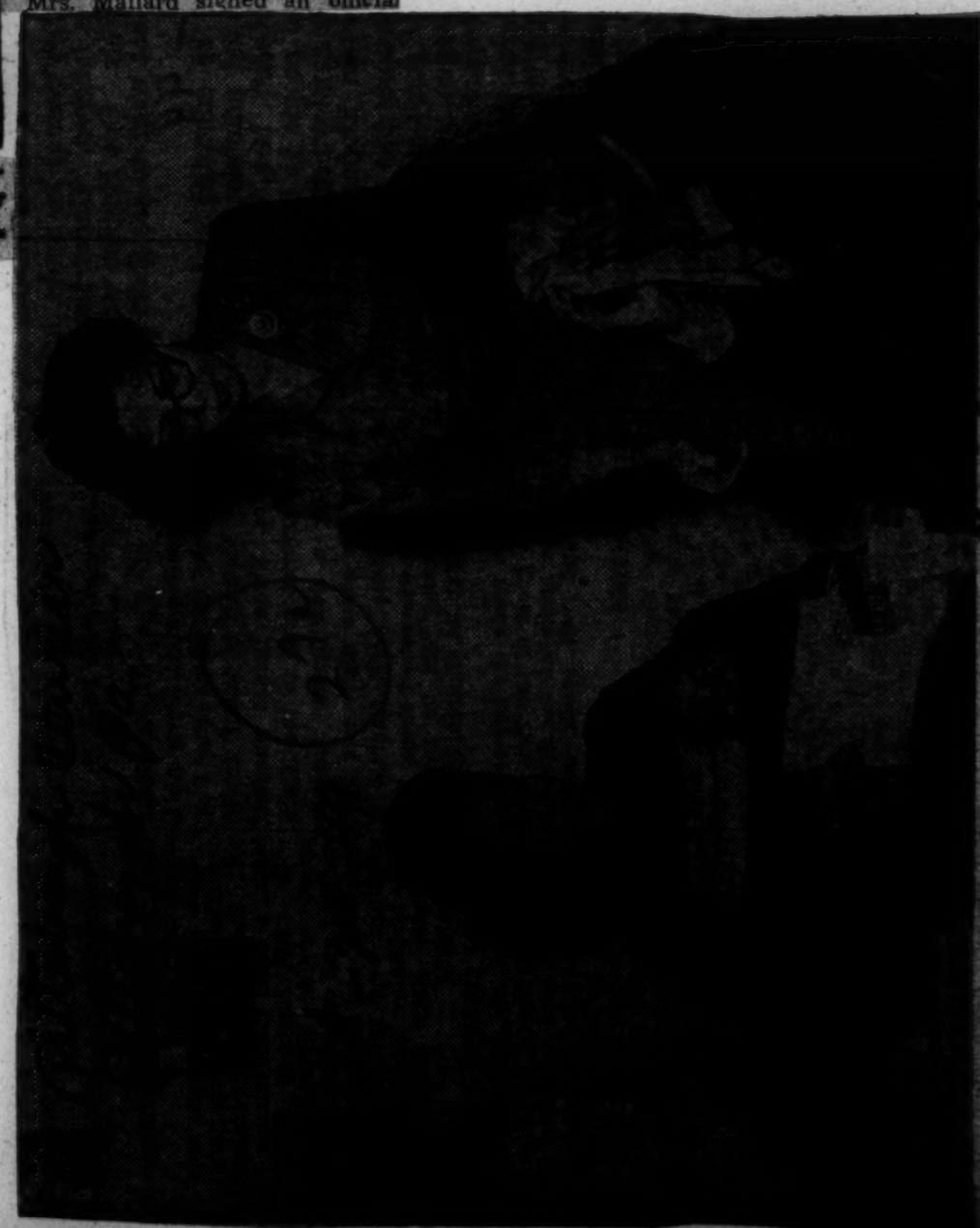
Outrage In Lyons, Ga.

AMERICA WILL PAY DEARLY for the recent outrage in Lyons, Ga.—For years to come justice in Toombs County will remain a blot on the nation's conscience. Many Americans will continue to hear the Amy Mallards crying and screaming: "Oh Lawdy, Oh murder. They killed him . . . I see 'em. I see 'em. Oh Lord—why did they murder him?"

And America must answer Amy Mallard's question. We must answer why a hand-picked "Georgia justice" jury freed William "Sonny" Howell after he had helped shatter Robert "Big Duck" Mallard to bits—simply because "Big Duck" was an "uppity nigger". There's a reckoning day a'coming.

We know America won't be able to wipe this gross miscarriage of justice out of her mind. Amy Mallard and Joseph Goldwasser, the Cleveland department store owner who offered to help her, and millions of others will forever remind us of this bloody page in our history.

In Toombs County, the white folks may "all keep their grave-yards clean", but they've made another blot on the nation's conscience.



TEARFUL TALE—Emotionally upset, Mrs. Amy James Mallard, Georgia school teacher, describes the harrowing experiences of the lynching of her husband, Robert Mallard, on last Nov. 20, near Lyons, Ga., as newsmen listen. She will tour the Nation under NAACP sponsorship to tell of the slaying and trial of the accused slayer of her husband.—Keystone Photo.

The Mallard Tour

The National Association for the Advancement of Colored People has announced abandonment of the sponsorship of the Amy Mallard Tour because it was losing money. Mrs. Mallard, commenting on the action, said it came as a surprise to her left her without a job, at least for the time being.

27a Atlanta Daily World

Under the terms of the agreement, explained Acting NAACP Secretary Roy Wilkins, the Association agreed to take care of Mrs. Mallard's expenses on tour until June 1 and that they would pay her $250 per month for making the tour, together with a percentage arrangement, if the tour had developed into a success. Mr. Wilkins said it was not a success, that it was to the contrary, a failure, and that it would be unfair to the thousands who support the NAACP to continue it under those circumstances. Atlanta, Ga.

The National Association leaders have pioneered in the struggle for full citizenship rights of Negroes and other minority groups in this country over four decades. Perhaps no other organization in the Nation can boast of a more successful record of achievement in virtually every field of endeavor. So what we may say of the Mallard tour must in no sense be construed as a criticism of the excellent policy of this Association's leadership of the Negro people. Nevertheless, we have always opposed the use of Mrs. Mallard, Mrs. Ingram's daughter or any of the other relatives of lynch or mob victims on a purely financial tour. We think the American people, certainly the American Negroes, love the NAACP enough to support its every appeal, either for money or for moral support. That is why we dislike the idea of making use of Mrs. Mallard, except for educational purposes only. In other words, we fully agree that the Mallard story ought to be told, for there are Americans who simply cannot believe some of the awful things which responsible officials did in the name of justice in connection with the death of her husband. The same may be said in the Ingram or the numerous other cases which have taken place over the South in the past several years. But such funds from such a thing should be taken for expenses only. To do otherwise, is to supply grist for the mill of many of its southern critics who seize upon anything which may serve to discredit the great work it is doing and has done for the Negro masses. 27a

Hence forth, therefore, if there are any more tours let them accept only expenses from the local communities which sponsor them, including a stipend for the victim or relatives and stop there. The people will support the Association in other ways.

All-White Jury Takes 20 Minutes To Free Howell

Atlanta Daily World

Widow Collapses Under Strain

Court Testimony

Atlanta Georgia — Wed. 1-12-49

BY MARION E. JACKSON

LYONS, Ga.—(SNS)—Once again the deep south has proven that local and state laws are ineffective against accused lynchers. This was the consensus of opinion after an all-white jury Tuesday acquitted William L. (Spud) Howell of murder in connection with the lynch-murder of Robert E. Mallard on November 20.

A similar charge against Roderick ...

... choice was dropped over the vigorous protest of Attorney T. Ross Sharpe. The defense said it wanted an acquittal in the case but gave no reason why it wanted such a verdict.

The staid Toombs County courthouse echoed with whistles and handclapping after the verdict was announced. A tumultuous uproar went up in the courtroom which was jammed with spectators who eagerly had hung on to every word of the action ...

WIDOW COLLAPSES

Mrs. Amy James Mallard, widow of the slain casket salesman, earlier had collapsed in hysterics as she described the death of her husband last November on a wooded country road as they were returning from a school social.

Judge Robert H. Humphrey, of the Middle Georgia Judicial District, hastily recessed the trial to permit the agonized widow to regain her composure.

Before the terrorized woman collapsed, she had dramatically pointed to Howell and named him as a member of the hooded gang who waylaid and shot to death her husband in a case which has been labeled by Tuskegee Institute as a lynching.

The defense in an unprecedented move called two of the jurors to the witness stand in Howell's defense. They told the applauding courtroom that they would not believe Mrs. Mallard under oath.

NO PRECEDENT

In Atlanta, a member of the attorney general's office said the procedure of calling upon jurors to testify was unusual but had been done before in Georgia in other trials. Wed. 1-12-49

Drama featured the trial from beginning to end. Hardly had Joseph M. Goldwasser, wealthy Cleveland store owner, taken his seat before he was handed a subpoena as a defense witness and ordered from the courtroom to the gratification of the jubilant spectators. This action prevented him from listening to the testimony of other witnesses.

Goldwasser left his seat at the defense table, carrying Mrs. Mallard's two-year old son, John.

Mrs. Mallard was the first of ten scheduled prosecution witnesses called. However only five were called and the prosecution rested at 11:21 A.M., an hour and 21 minutes after the trial began.

In a brief cross-examination, Mrs. Mallard denied that there was a pistol in her husband's car the night he was killed and said "it isn't true" to a question whether she had thrown the pistol in a well.

DESCRIBES HORROR NIGHT

She said on the night of November 19, she, her husband Robert Mallard and two young cousins, William T. (Tim) and Angelina Carter were driving home from a party at the school where she taught, a car "full of people" was parked along the highway, she said. It blinked its lights a couple of times and followed them until they turned off a side road.

Then, she said "all of those people appeared in front and this car came up bumper to bumper in the back."

"The minute we turned in, there was all these people with outfits on. There were 20 or more of them." 27a

Howell's perfect alibi "was that Mr. and Mrs. Thomas Banks spent the night of Nov. 20 at his home. He said they sat up until 11 P.M. playing the radio and talking. The Howell home, testimony disclosed, was about 100 yards from the scene of the shooting. Wed. 1-12-49

The two jurors called to testify were L. J. Usher and A. W. Currie. They said they would not believe the widow under oath.

PISTOL DEBATED

Mrs. R. L. Gray, wife of the Toombs County Sheriff, told the court that William (Tim) Carter had confided to her that Mallard fired the first shot and that "Somebody else, the other."

Frank Brinson, the first man to reach the scene of the shooting, told the jurors that when he reached the scene of the shooting a 32 calibre "long" type pistol dropped to the ground.

Howell testifying in his own defense said: "I am not guilty. I never talked to Mallard more than twice in my life."

"I do not own a gun and I know nothing about it. She (Mrs. Mallard) has told so many different tales I don't believe she knows who did it. I was not mad with Mallard. I am just a poor tenant farmer on my father-in-law's place. The Mallards have nothing I wanted."

GOLDWASSER TESTIFIES

Goldwasser testified that he entered the case in the interest of justice. He said he would inform the justice department that Mallard's civil rights were violated.

Howell's jury was selected from a panel of 80 veniremen with only 10 routine challenges, two by the defense and eight by the state.

The trial got under way 30 minutes later than expected. Mrs. Mallard, who was accompanied by Joseph M. Goldwasser and her two cousins, William and Angelina Carter, finally appeared as photographers made shots of everything. A throng of curious onlookers watched the party as they walked up to the square red brick Toombs County courthouse.

Hours before the trial began a throng lounged around the courthouse in holiday fashion as the newsreel men and photographers recorded the events leading up to the trial. Wed. 1-12-49

Reno Tapley, Vidalia undertaker, testified that Mallard apparently died from the effects of a pistol wound in the upperright chest.

PATROL SERGEANT TESTIFIES

Sgt. J. W. Robertson, of the Georgia highway patrol, first enforcement officer on the scene, said there was evidence that an automobile was driven in behind Mallard's car then sharply driven away.

The jury which heard the trial was made up of: Silas McCain, Pete Hammond, Silas Davis, Fred Wilson, W. E. Presser, C. V. Alexander, R. W. Cammack, L. J. Usher, George R. Anderson, J. W. Cullen, Willis McClain and J. W. Currie, farmers and business men.

Charges and counter charges flooded the courtroom. Goldwasser caused an uproar when he said he would seek a change of venue to Atlanta or Savannah, in belief that he could obtain a fairer trial.

W. H. Lanier, solicitor general of the circuit court and prosecutor caused an uproar when he said that he would not try and change the location of the trial and added: "I have no use for him (Goldwasser) in connection with the case."

"Goldwasser has nothing to do with this case," Lanier said before the trial opened. "He has never conferred with me about anything. I know nothing of any evidence he has uncovered." 27a

William (Tim) Carter and Angelina told virtually the same story as Mrs. Mallard but failed to identify anyone as being at the scene of the slaying. Wed. 1-12-49

Action in Georgia Lynch Trial Stirs Nation's Lawyers

Pittsburgh Courier — Sat. 1-22-49

CHICAGO (ANP)—The unusual action in the Mallard case in Lyons, Ga., in which two jurors got on the witness stand and spoke in favor of the defense has stirred up the legal minds of the Nation.

General consensus, however, is that such action is legal, although practically never practiced outside the South. 27a

In Chicago legal experts were "shocked" to learn of the proceedings in the Mallard case. State Attorney Boyle said:

"Obviously there is one law for the white man and one law for Negroes in Georgia. Thank God there are not two sets of laws in Illinois."

BRANDS ACTION

Emory J. Smith, chairman of the Chicago Bar Association Committee on Criminal Law, branded the action as "revolting to our sense of justice."

New York attorneys agreed that such action is legal under State laws, but added that it was not likely to happen because of the attorneys' rights to question prospective jurors before they are sworn ...

Arthur Garfield Hays, general counsel for the American Civil Liberties Union, commented: "I guess they didn't ask the right questions."

7832

'Wanted Me' Slain Man's Widow Says

Defender Chicago Ill.

By LILLIAN SCOTT
(Defender New York Bureau)

NEW YORK — Safely out of Georgia at last, Mrs. Amy Mallard disclosed Friday that she believes a young woman who fit her description, and who was taken from a bus and beaten to death, November 27, met a fate that was intended for her.

Sat. 2-5-49

In an interview here, the widow of lynch victim Robert Mallard disclosed that she was supposed to have taken the same bus. The woman who was beaten to death and left in an alley was traveling with a young child, just as Mrs. Mallard was.

Mrs. Mallard also disclosed that with no explanation, she was released from custody by the Georgia Bureau of Investigation, although she was charged with the murder of her husband at the time.

Last Minute Change

Because there was a three-hour layover in her trip, Mrs. Mallard decided to stay overnight in Lyons, at the home of sympathetic persons. She now feels that decision may have saved her from falling victim of a mob that wanted to "seal her lips."

"The Savannah papers reported [illegible] victim [illegible] to death [illegible] they said she had been [illegible] to death. She was found [illegible] alley. If the Ku Klux Klan did the job, she fit my description. My friends believe it was meant to be me," Mrs. Mallard declared. As the shocked northern reporters listened, she asked, "Don't it add up? It may not be," she added, "but then how did she come by her death? The papers never did say."

The dead woman, according to Mrs. Mallard, had boarded the midnight bus to Savannah at Wadley, Ga., a small town above Lyons, where Mrs. Mallard was expected to board it. As Mrs. Mallard had a three-hour wait before the bus left, she decided to spend the night with friends and had her white attorney, Colonel Pope, of Lyons, drive her to their home.

Hid Out In Field

When the lawyer had let her out of the car, she told her friends she thought it would be safer for all concerned for her to hide in a field during the night. Mrs. Mallard explained to newsmen that she feared the whites would "get" her as she had not understood why the Georgia Bureau of Investigation released her that night, although they had a murder warrant against her.

Sat. 2-5-49

Rather than jeopardize the young couple, as the wife was pregnant, Mrs. Mallard said, "I crawled out to the woods alone. The husband had given me a rain coat and that was the only shelter I had that night." When she returned to the house shortly before dawn, her friends told her the house had been watched all night as they had seen lights flashing on and off intermittently.

The sad-eyed widow was accompanied to New York last week by her 18-year-old daughter by an earlier marriage, Doris Byron, and her two-year-old son, John.

Broke Into Tears

Several times she lost her composure under the stress of the painful memories. Speaking of the murder itself, she cried, "To my surprise when I got out of the car after they'd all gone, my husband was sitting on the ground—the blood gushing out of his mouth and nose in a stream larger than my arm! Dear Lord, there wasn't a thing I could do—it was so horrible." She broke into sobs and with evident anguish, cried, "That's what kills me, I couldn't help him."

As the photographers' bulbs flashed, and Mrs. Mallard bowed her head on her arms, the newspeople and NAACP staff members waited in embarrassed silence. A woman on the NAACP staff comforted Mrs. Mallard and a reporter whipped out his handkerchief and offered it to her. In a few moments she regained her calm and the interview went on.

Spat With Howell

She said there had been no trouble with neighboring whites until she and her husband traded in her old car on a new Fraser, except for an incident shortly before when Mr. Mallard politely asked a white man, William L. Howell, off his land. They had no words, Mrs. Mallard said, but she recognized Howell, who only lived 100 yards away from their home, as one of the masked mob of Klansmen who murdered Mallard.

She spoke of another incident when she and her daughter drove the new car to church one morning and found their roadway blocked by cars belonging to white churchgoers.

Georgia Law

The Times-Picayune

During the recent trial in Lyons, Ga., one of the white men charged with the murder of the Negro, Robert Mallard, a surprising "legal maneuver" was executed by a defense attorney who called two of the trial jurymen as witnesses for the defense. We quote the Atlanta Constitution's brief description of it:

27a Tue. 1-18-49

"In a rare procedure, the jurymen stepped from their box to testify that they would not believe under oath the chief prosecution witness, Amy Mallard."

We assume that this "rare precedure" is legal in Georgia, since the jurors' assumption of defense-witness roles was sanctioned by the ocurt.

New Orleans, La.

From the Constitution's report we take this other curious paragraph:

"Howell (one of the defendants) denied any connection with the crime in an unsworn statement, as allowed by Georgia law."

The trial of this sensational murder case, we read further, "lasted only seven hours" and the jury acquitted Howell "after deliberating only 25 minutes."

The peculiarities of Georgia law have provoked uncomplimentary comment on previous occasions. These Mallard trial incidents perhaps overshadowed those gone before. So far as our not very profound knowledge of state codes goes the laws of no other state permit jurors to step from the jury box to the witness stand to declare they would not believe the sworn testimony of a major witness in the case they were impanelled to try, and then resume their judicial functions. Nor would the code of any other state, so far as we know, permit a defendant on trial to submit his testimony in his own behalf without taking the oath required of other witnesses.

On motion of the prosecution, following the Howell acquittal, the murder charge against another defendant was dropped.

Tuskegee Institute lists the Mallard murder as one of the two lynchings committed in the United States during 1948. The administration of justice under Georgia law as exemplified by the trial procedure at Lyons must grieve a lot of justice-loving Georgians as much as it amazes their countrymen outside—including a majority of their neighbors in the other Southern states.

The Judge Speaks Out

Atlanta Daily World

The forthright position taken by Judge J. M. C. Townsend, of the Georgia Court of Appeals, before the Chattanooga, Tenn. Civitan Club Friday, is clear enough for the ignorant to understand and forceful enough for the friends of law and order to appreciate.

Atlanta, Ga.

In language unmistakable, Judge Townsend charged Dade County Sheriff Lynch and three of his deputies with aiding a hooded mob in the recent floggings of seven Negroes near Hooker, Ga. "We have already called on the FBI and we already have the identities of ten men including the Sheriff, deputies and mobsters," the Judge said, in condemning the Sheriff for his half-hearted defense of his prisoners from the mob.

Sun 4-17-49

"I am not afraid, and I don't care if my job makes enemies for me. But America is no place for anybody who can't live and stand beside people of all colors and religions," the jurist warned.

4-17-49

Those are heartening words coming straight from the lips of a high Georgia jurist, whose influence is already a great factor in determining public sentiment and creating respect for the constituted laws of the state.

We have said it once before and we say it here again, that when law enforcement officials begin bowing to the will of the mob, then there comes a break down in the machinery of enforcement and those to blame for such things ought to give up their places to more worthy servants of the people. In the case of Sheriff Lynch, it does not satisfy the thinking nor the conscience of upright citizens of Georgia to ask: "What would you do if there were 50 or 100 men around that ordered you to leave? The obvious answer is now as it was then, stand by your oath to uphold and enforce the laws.

We are glad to know that the names of at least some of the mob members are known. It will be shocking to the sense of law-abiding citizens to read the indictment by Judge Townsend. It is bad enough for the Sheriff to take cold feet and desert his prisoner, but it is an indictment upon a whole society when a Judge charges him and his deputies with aiding mob action.

Mrs. Mallard To Make Home In Brooklyn, N. Y.

Daily World

BROOKLYN—(ANP)—Mrs. Amy James Mallard, widow of a lynch victim in Georgia last year, plans to make her home in Brooklyn, she told reporters last week.

Atlanta, Ga.

Mrs. Mallard, who had disappeared from the public eye since the NAACP canceled her tour, was found living in a room in Brooklyn. She said she will either live in Brooklyn or Queens borough of New York City if she can find a home to rear her two children.

Rumors had been spreading as to what had happened to Mrs. Mallard after she disappeared from the Hotel Theresa a few weeks ago. She left the hotel after the NAACP announced that her tour was a financial flop, and that it was no longer sponsoring her.

A $500 check, however, is reported to be waiting for her at NAACP headquarters. She said she did not know about the money. She also cleared up a statement that debts for her husband's funeral had not been paid. She proved that all fees had been paid in full.

Another rumor spiked by Mrs. Mallard was one that she intended

...s. Mallard To ...e in Brooklyn

Balto. Afro

...ynch Widow Reveals

Alleghany, Md.

...uneral Debts Paid

...ROOKLYN (ANP) — Mrs. ... J. Mallard, widow of a lynch ...m in Georgia last year, plans ...make her home in Brooklyn, ... told reporters last week.

...rs. Mallard, who had disap...ed from the public eye since ... NAACP canceled her tour, ... found living in a room in ...oklyn. She said she will live ...r in Brooklyn or Queens ...ugh of New York City if she ... find a home to rear her two ...dren.

Sat. 6-18-49

...umors had been spreading ... what had happened to Mrs. ...lard after she disappeared ... the Hotel Theresa a few ...s ago. She left the hotel ... the NAACP announced that ... tour was a financial flop, and ... it was no longer sponsoring ...

6-18-49

... $500 check, however, is re...ed to be waiting for her at ...ACP headquarters. She said ... did not know about this ...ey. She also cleared up a ...ement that debts for her hus...d's funeral had not been paid.

...he related she understood the ...ur was to last until June. Ac...cording to her the NAACP was to ...ake care of all her expenses. The ...NAACP said she would be respon...sible for all her expenses after ...April 30.

Roy Wilkins, acting executive secretary of the NAACP, commented:

Sat. 5-28-49

"We agreed to take care of her expenses on tour until June 1, and we also agreed to pay Mrs. Mallard $250 a month for making the tour. We also had a percentage arrangement with her, if it developed that the tour was a success—which it was not.

"We would do nothing to hurt the poor woman, but, in fairness to the thousands who support the NAACP, we must admit a failure when we are faced with one. ...this particular instance the ... did not give ample sup... ...s. Mallard ...

...ood Marshall, chief coun... ... NAACP; Madison Jones ...ganizer, and Henry Lee ...blic relations director, ... Wilkins. They said that ... ...bly misunderstood ...

...ob Victim's ...idow Won't ...eturn to Ga.

Pittsburgh Courier

Pittsburgh, Pa.

Sat. 5-28-49

NEW YORK—(ANP) ... ...e NAACP-sponsored tour ... Mrs. Amy Mallard, widow ... Robert Mallard, lynched ... year in Lyons, Ga., has ...n closed as of April 30, ...s. Mallard learned last ...ek.

...ccording to a New York news...er, the NAACP gave up the ..., originally scheduled to con...e until June 1, because it was ...nancial flop.

...d its reasons for dropping the ... before June 1, the NAACP an...nced that Mrs. Mallard was dif...lt to get along with and that ...ould be unfair to NAACP mem... to continue a tour that was ...ing money.

...Mrs. Mallard said the NAACP ...tion has caught her by surprise. ... says she would be "stranded" ... a job because she does ...

7832

ROGERS SAYS: 'America Is Now the Most Disliked Nation on Earth'

Pittsburgh Courier

BY J. A. ROGERS

(The views expressed in this column are those of the writer and do not necessarily express the editorial opinion of The Pittsburgh Courier—The Editors.)

Mallard Case

THAT case in which two men [illegible] Georgia [illegible] step [illegible] take the stand in favor of the accused, return to it listen to the judges charge and retire solemnly to weigh the evidence is such a grotesque distortion of justice that it is the sort of thing we love to believe only possible under fascism or communism. I'm sure that fifty years hence a historian who relates that will be considered a liar. Lucky for the world's great satirists they never used a situation like that. They would be laughed at.

Mr. Rogers

Though I'm pretty well read on injustices in America, that affair came to me as a shock. I have served on many juries—county, State and Federal—and have been ever deeply impressed with the great pains to which judges and lawyers go to see that no juryman brings a taint of partiality to a case. Were a judge in New York, or any of some thirty-five other States, not to declare a mistrial, law or no law, in such an instance, he would be howled off the bench by an indignant citizenry. The Georgia case certainly provides a believe-it-or-not for the annals of the law.

• • •

WITH SUCH AN exhibition, Georgia justice sinks to a new low. It is worse than lynching by a mob. The bereaved widow was lynched when the two witness-jurors blasted her character, thereby making her a scapegoat for the accused; justice was lynched, and so was respect for the United States before the bar of world opinion. While the South considers its handling of the Negro a personal affair, the rest of the world places the blame not on it, but on the Nation.

Such travesties, though unknown in Northern courts, are chalked up against North and South alike by the rest of humanity for that day of reckoning which comes to all peoples. Some day when America weakens, as it inevitably will, its misdeeds, real and fancied, will be [illegible]

proof she isn't fit to exist. Many of us have seen this happen to four great nations since 1898, namely, Spain, Turkey, Czarist Russia and Germany. The saying, "Give a dog a bad name and you might as well hang him," applies also to nations. The Jews were given a bad name, largely undeserved, 1800 years ago and it still handicaps them.

• • •

AMERICA IS NOW the most disliked nation on earth and if ever she slips, they'll gang up on her. One cause is her Marshall Plan which she is using to dictate the policy of nations which have as much pride as she. A few days ago we had quite a shock when Eva Peron of Argentina sent clothes for the poor children of Washington.

Well, the great pride of peoples as the English and the French, even though they accept aid, are hurt as deep within as we were by Eva Peron's charity. If you could look into the hearts of the European peoples, especially the statesmen, you'd find a tremendous differance between what they feel and what they say. Gifts do not bring love; they more often cause resentment.

America with her lavish spread of money over the globe is likely to end up like a sucker at a gambling table thrown out on the sidewalk when his money is gone. As for those nations not getting Marshall Plan aid, or who feel they are being discriminated in the dishing out of the dough, they don't exactly love us either. So, as I said, this Georgia mockery of justice, is a juicy addition to sins, real and fancied, against America, especially by the Communists.

• • •

WHAT THIS NATION needs is a little of that righteous indignation against injustice it had in the 1860's—something of the cleansing spirit of John Brown, Wendell Phillips, Henry Ward Beecher and Frederick Douglass. America began to lose the moral strength built up then when Northern capital moved on the South in 1876 and joined up with the late enemy to restore as much of slavery as possible, in all of which it was abetted by the U. S. Supreme Court. Every [illegible] device [illegible] of the Constitution and of ordinary justice and were the whites the victims they would instantly realize this.

If the Mallard case doesn't convince Congress that an anti-lynching law is a necessity then we might as well abandon all hope from that quarter.

Sat. 2-26-49

Telling the World—Shown talking to the NAACP's Walter White is Mrs. Amy Mallard, whose husband was lynched in Georgia last November. She says she'll "tell the world" about her harrowing experience on a nation-wide speaking tour opening in Washington Feb. 6. With the widow are her daughter, Doris Byron, and son, John. (Story and other pictures inside.)

Pittsburgh Courier

Francis Miller—LIFE

LAWYER SHARPE, AMY MALL[illegible] [illegible]GROUND), DEFENDANT HOWELL

"Oh Lord—wh[illegible] murder him?"

Chicago Defender 2-26-49

ress of Nation Condemns Mallard

rial in Ga. as Mockery of Justice

Farce Has Aided Antilynch Bill's Passage, Editorial Opinion Unanimously Sets Forth

By the ANP A News Service

Under the caption, "Disgrace in Georgia," the New York Herald Tribune of last Thursday branded as a "mockery" the acquittal of William L. Howell, a white farmer, for the murder of Robert Mallard, colored coffin salesman, after members of the jury were used as character witness for the defendant.

The text of the editorial follows:

"Georgia, where Herman Talmadge rules and white supremacy is doctrine, has reason to feel uncomfortable. A colored man was lynched last November, apparently because he was uppity for Toombs County taste.

"A white-robed mob waylaid him on a country road, murdering him before the sight of his wife and two children. This was the evidence of the survivors; it was the only lynching of a colored person in the country last year. Some people in Georgia were outraged, others amused lethargic.

"There was an investigation, considerable clamor, two white men were indicted and acquitted in 20 minutes. No surprise need be expressed. The prosecution case apparently depended chiefly upon the widow's identification. But far more important was the defense lawyer's contemptuous gesture (legally permissible, to be sure) of calling two jurors to contest themselves for a quick judgment into witnesses, who proudly asserted that the widow's word under oath was worthless. It was shabby trick, an expressive footnote on a foul episode. There was mockery complete. In this day, Georgia took a long step backward.

Example of States' Rights

"If this is a fair example of States' rights in operation, the practice of the theory that a local community knows the best solution of its own problems, then the prospect is indeed depressing.

"Within recent weeks, Governor Talmadge, a subtle reincarnation of his famous father, has proposed a program which aims to disfranchise the Georgia colored person completely to the legal hilt. By stern qualifications, mostly educational, at least 80 per cent of the group would be barred from voting.

"White supremacy in Georgia has no intention of yielding; it is using solely forces as a political ...

...erially gained out...

"The most effective means of combatting such legislation is for each State to revise its own laws," it concluded.

Termed 'Grotesque'

The News and Observer of Raleigh, N.C., last Wednesday, said editorially "The only mystery about the verdict of not guilty, which a Georgia jury turned in after 20 minutes' consideration of the case of two white men charged with the brutal lynch-murder of a colored man was what they did with the 20 minutes.

"Before they retired to the jury room to consider the case, two of the jurors had already descended from the box to testify for the defendants. Then they returned to consider the case on its merits. It seems that that is legal procedure under Georgia justice. But it still makes Georgia justice look grotesque in the world and in the South."

...ry is feared...

"Possibly the lynching is merely coincidental, but the atrocious affair, and its attendant circumstances, give grim warning that all is not well in Georgia."

Legal Principles Perverted

The Washington Post of the same day, under the caption "Trial by Jury," said the trial "might have come straight from Gilbert and Sullivan, except for its squalid perversion of moral and legal principles," adding:

"In conformity with the laws of Georgia, and of light operas, defense counsel called two members of the jury to the stand. They had been picked for the jury because they attested their 'impartiality' (another musical comedy touch).

"But as leading witnesses for the defense, they both declared they would not in any case believe the sworn testimony of the chief prosecution witness, who identified Howell as one of the lynch mob that killed her husband last November."

Georgia Law 'Primative'

"As to the lawfulness of this procedure, Georgia law is curiously primative.

"There is not statutory barrier against it. As to its propriety, however, there ought to be no question.

"For failing to call a mistrail, regardless of the sanction given by the vagaries of State law, the judge showed an astounding disrespect for both the forms and substance of justice under the common law.

"It is, of cuorse, too much to expect that he will be removed from the bench for grossly defiling it, though everyone connected with the trail could be easily proved guilty of doing practical violence to the tenet of 'white supremacy' they thought to serve."

"Sickening Example" Inquirer

The Philadelphia Inquirer of last Thursday said the trail "offers another sickening example of the failure of Georgia courts to protect the rights of citizens.

"So long as Georgia law permits jurors to testify and then to return to the jury box and take part in formulating the virdict, the movemnet for enactment of a Federal anti-lynching law will gain strength," the Inquirer edi...

...BY LYONS (GA.) POLICE CHIEF

Courier Is Challenged!

LYONS, Ga.—"I challenge your 'so-called' newspaper to print this letter," wrote Chief of Police W. M. Bowen of Lyons, site of the shocking, unsolved Robert Mallard lynching, in a message to The Courier Monday.

Using the outmoded expression that "The South is quite capable of handling both its murder cases and its police departments," Chief Bowen assured The Courier that the South can handle her problems "if you will keep your spotless hands out of our affairs."

Incidentally a Toombs County jury in Lyons recently acquitted two suspects in the Mallard case in twenty-three minutes.

But here's the Chief's letter, which speaks for itself:

Lyons, Ga.
1/28/49

Editor
The Pittsburgh Courier
Dear Sir:

I would like to call your attention to articles on your editorial page Jan. 22, 1949.

In respect to the Mallard case, every citizen of this county knows that on the negligible evidence produced at the recent trial no conviction was possible.

I dare say that you have many unsolved killings in your city each year. (Of course it is not lynching in your State but merely murder). This being the case why is it that you do not unpack your shining suit of armor and prancing warhorse and lead a dashing crusade to eliminate crime from your spotless city.

The citizens of this county are not the "sadistic mob" that you call them but are, rather, some of the finest people on earth. It is true, however, that our people are merely of Anglo-Saxon and Celtic ancestory and that we do not have the great hordes of

...In reference to your other article in which you refer to the policemen of the South, I am certain that (although possibly there are some policemen such as you describe) the policemen of the South are, on the whole, as upright in character, as devoted to duty, and as intelligent as policemen are anywhere else in the United States. It may be that they are even more so, as I have read much of graft, corruption, protection, and dereliction of duty even in high places in the police forces of the sprawling slums of iniquity that are called cities in Yankeeland.

On the whole if persons of your stripe and other, who are either misinformed or professional agitators, will keep your dirty paws hands out of our affairs, I feel certain that the people of the South are quite capable of handling both their murder cases and their police departments.

I challenge you to print this letter in your newspaper (unedited). If you do so decide my only request is that you send me a copy.

Yours truly,
W. M. BOWEN
Chief of Police
Lyons, Ga.

Georgia (Mallard)

7834

Widow of Murder Victim

Mrs. Amy Mallard enters court at Lyons, Ga., with Joseph Goldwasser, Cleveland, O., businessman who offered to assist her during the trial of two white men charged with killing her husband. Goldwasser carries Mrs. Mallard's son, John, 2. Associated Press Wirephoto

2 Freed in Ga. Lynching; 2 Jurors Aid Defense

New York Times 1-12-49

LYONS, Ga., Jan. 11 (UP)—A jury took only 20 minutes here today to acquit a white man charged with lynching a Negro—after two of its members had stepped from the jury box to the witness chair and testified for the defense.

Following the acquittal of William (Spud) Howell, 24, charged with murder in the lynch-slaying of Robert Mallard, a similar murder charge against Roderick Clifton, 32, was dismissed—on the state's motion.

New York N.Y.

The rare spectacle of jurors becoming witnesses featured a speedy one-day trial of a case that had focused country-wide attention on Georgia. There is nothing in the state code against a juryman testifying.

Widow Breaks Down

Mallard, a well-to-do funeral supply salesman, was slain Nov. 19. His widow, who broke down while testifying today, said about 20 robed white men stopped their car and shot him.

The closing arguments were sparked by a virulent attack by defense attorney T. Ross Sharpe on the character of Joseph M. Goldwasser, Cleveland businessman who had intervened on behalf of Mrs. Amy Mallard, the widow.

Prosecutor W. H. Lanier urged the jury to decide a crucial question: was Mrs. Mallard correct when she said Howell was among the mobsmen who killed her husband?

Courtroom Packed

A crowd of 800 packed the unseasonly hot courtroom, with about 50 Negroes sitting in the balcony.

The two jurymen joined defense character witnesses who vouched for the defendant's high reputation and said they would not believe the chief prosecution witness, the widow, even under oath.

Mrs. Mallard had dramtically pointed out Howell as the one man she had recognized among the 20 sheeted white men who killed her husband. She broke down when she recalled the blood running from his wounds.

Howell took the stand and asserted his innocence. Under Georgia law, a defendant is not sworn or cross-examined.

Goldwasser Kept Out

Defense attorney Sharpe's maneuvers featured the brief trial. Early in the proceedings he handed Goldwasser, who previously had announced plans to seek a change of venue, a subpoena as a defense witness. Goldwasser never was called, but was kept out of the courtroom until all testimony was completed.

Net 1-12-49

Sharpe later explained that his maneuver in calling on jurors L. J. Usher and James W. Currie as character witnesses had been pulled on him in the same courtroom 25 years ago "and I've been waiting ever since for a chance to use it."

(Associated Press quoted a member of the Attorney General's staff at Atlanta as saying the procedure was unusual, but had been done in other trials in Georgia.)

Testimony Not Challenged

Usher and Currie both said they would not believe the widow under oath in the present case. The prosecutor did not challenge their testimony.

Sharpe produced an alibi for Howell. Thomas Banks, a young farmer and neighbor, said he and his wife spent the night of Nov. 18-19 at the Howell home and so far as he knew Howell did not leave the house between 8:30 p.m. and 9 a.m.

Another defense witness, farmer Frank Brinson, testified that he reached the body shortly after the slaying and helped the widow put it back in the car.

Judge Robert H. Humphrey confined his charge to the jury to points of law in the evidence.

in the heart. He died a few minutes later.

The widow said she thought she had been shot and leaned over to the floor of the car. By the time she straightened up, she said, the men were gone and she couldn't see any of them.

Her husband, she said, "was slumped down, blood rushing out of his mouth and nose."

At that point she began to cry loudly, and shouted: "Why did they kill him!"

A recess was ordered by Judge Humphrey. Sat. 1-22-49

Angelina Carter confirmed Mallard's testimony, but said she did not know who fired the fatal shots. William Carter told the jury he saw about eight or 10 men in white robes, but with faces unmasked.

Other state witnesses included Reno Tapley, Lyons undertaker, who testified that he removed the bullet from Mallard's body, and Sgt. J. W. Robertson of the State Patrol, who introduced the fatal bullet.

Robertson said the bullet was from a 32-calibre Smith-Wesson revolver of the "long type." He said that when Mrs. Mallard was questioned later in Savannah, she found a 32-calibre revolver in her possession, but it was a "short type." Sat. 1-22-49

Howell, in an unsworn statement to the jury, denied any part in the killing, declaring that he was home in bed at the time of the crime, and that he did not own a gun. Georgia law permits a defendant to make unsworn statements, at which time he may not be examined by the state or jury.

During the course of his ...

Dog Has Better Chance Than Negro Suspects Were Freed

Sat. 1-22-49

By Ross Cowans

LYONS, Ga.—"A Negro don't have as much chance in Toombs county as a dog."

Those words, spoken back in December by a white-haired colored man whose long years of toil on the farm expressed itself in his stooped shoulders and gnarled fingers, rang true last Tuesday when an all-white jury acquitted William L. (Spud) Howell, 32-year-old white farmer. Sat. 1-22-49

Howell had been indicted last December by the Toombs County Grand Jury on a charge of murder, after Mrs. Amy Mallard had identified him and [illegible] Clifton, 32, as members of the unmasked mob of robed whites that ambushed her salesman husband, Robert Mallard, 37, on the night of November 20, and shot him to death.

The trial was a travesty. The testimony of the prosecution witnesses was insufficient to warrant speculation by the prosecutor, Solicitor General W. H. Lanier, had no strong, professional relish for the job of prosecuting the charge against Howell.

But up and above this was the amazing spirit of two jurors—men who had sworn they could hear the testimony without prejudice and described the death of her husband—step from the jury box to not only testify to Howell's character but also declare that the widow, Mrs. Mallard, had harassed a woman of unfavorable repute, and not to be believed under oath. Sat. 1-22-49

Those two witnesses — L. J. Usher and James W. Currie — were called by Defense Attorney T. Ross Sharpe, who later said: "It's a trick I learned in this courtroom 25 years ago." Presiding Judge R. H. Humphrey of Toombs County Superior Court said the action of the two jurors was legal under Georgia law.

In Holiday Clothes

However, this was only part of the three-ring circus that attracted residents of Toombs County, gally attired in their Sunday clothes, to the Toombs County courthouse. The other side was held on the lawn in front of the building where a traveling medicine man had put up his show and did a brisk business of disposing his cure-all medicine. Sat. 1-22-49

The revolting travesty and its [illegible] aspects deepened the stain which the Monroe lynching and the killing of Isiah Nixon left on the name of Georgia.

Mrs. Mallard collapsed in hysteria Tuesday morning as she

ment, Howell shouted: "That Goldwasser and that n. . yonder (meaning Mrs. Mallard) are trying to send me to jail for a crime I didn't do."

One of the defense witnesses, Frank Brinson, white, testified that a gun dropped to the ground when Mrs. Mallard got out of the car to help him put the body of her husband on the back seat. This gun was never produced. Brinson was the first man to reach the scene after the killing.

Could See, Not Hear

Thomas Banks, white tenant farmer on Marvin Howell's farm, said he and his wife spent the night at William Howell's home on the night of November 20, and he would have seen Howell if the latter had gone out. However, he said he did not hear any shots, although the Howell home is less than 100 yards from the scene of the ambush.

Joseph Goldwasser, Cleveland department store owner who interested himself in the case, was ordered from the court room during the trial. Goldwasser had been subpoenaed as a defense witness and hence was not permitted to hear the testimony.

Goldwasser left his seat at the prosecution table, carrying Mrs. Mallard's baby, Johnny, in his arms.

The jury deliberated 25 minutes before returning the verdict. It is believed the verdict could have been returned earlier as the jurors had some refreshments sent to them.

Mrs. Mallard arrived in Lyons from Savannah under the protection of the State Patrol. With her were her daughter, Miss Doris Byron, sophomore at Georgia State college; William and Angelina Carter, Mrs. Portia Mallard Walker, sister of Mallard, from Jacksonville, Fla., Mrs. Mallard's two-year-old son, Johnny, and Goldwasser.

Following the acquital of Howell and the statement by Lanier that the state would nolle pross the charges against Roderick, Mrs. Mallard and her party hastened to their automobiles for the 81 mile trip back to Savannah.

"It was a serious miscarriage of justice," the little widow said. "One would have believed that I was on trial instead of Howell and Roderick the way I was denounced."

Mrs. Mallard had previously said that she would not return to the Mallard home near Lyons.

Mrs. Angelina Carter, mother of William and Angelina, said that a number of hogs had disappeared since William, who was farming the land, had to go into hiding. She said she could not get any colored family to stay on the place because it is too far back in the woods.

The Carter farm adjoins that of the Mallard place.

Disgrace in Georgia

Georgia, where Herman Talmadge rules and white supremacy is doctrine, has reason to feel uncomfortable. A Negro was lynched last November, apparently because he was too uppity for Toombs County taste. A white-robed mob waylaid him on a country road, murdering him in the sight of his wife and two cousins. This was the evidence of the survivors; it was the only Negro lynching in the country last year. Some people in Georgia were outraged, others remained lethargic. There was an investigation, considerable clamor, two white men were indicted—and acquitted in twenty minutes. No surprise need be expressed. The prosecution's case apparently depended chiefly on the widow's identification. But far more important was the defense lawyer's contemptuous gesture (legally permissible, to be sure) of calling two jurors to convert themselves for a quick moment into witnesses who blandly asserted that the widow's word under oath was worthless. It was a shabby trick, an expressive footnote on a foul episode. Here was mockery complete. In one day Georgia took a long step backward.

If this is a fair example of states' rights in operation, the practice of the theory that a locality knows the best solution of its own problems, then the prospect is indeed depressing. Within recent weeks Governor Talmadge, a subtle reincarnation of his famous father, has proposed a program which aims to disfranchise the Georgia Negro up to the legal hilt. By stern qualifications, mostly educational, about 80 per cent of the Negroes may be barred from voting. White supremacy in Georgia has no intention of yielding; its full and ugly force as a political cry is to be feared. Possibly the lynching is merely coincidental, but the atrocious affair, and its attendant circumstances, gives grim warning that all is not well in Georgia.

DAZED AFTER JURY freed both men she had identified as being members of mob which killed her husband, Amy Mallard (left) stands outside Lyons, Ga., courtroom where, a few minutes earlier, the verdict had been greeted with cheers. She is talking with, from left: Rev. A. L. Brewster, Dublin, Ga., representative of the Georgia NAACP; Reno Tapley, Lyons undertaker who prepared Mallard's body for burial, and Miss Doris Byron, Mrs. Mallard's daughter.

Mrs. Mallard Deserted by Top NAACP Officials

NEW YORK.—Mrs. Amy Mallard, who recently concluded a tour for the National Association for the Advancement of Colored People seeking justice in the lynch-murder of her husband last November, this week left the Hotel Theresa in a nervous condition. Accompanied by her teen-age daughter and infant son, she went to live in seclusion with friends here.

Although her contract with the NAACP does not expire until June 1, Mrs. Mallard was put out of the hotel when informed no further checks would be issued to her.

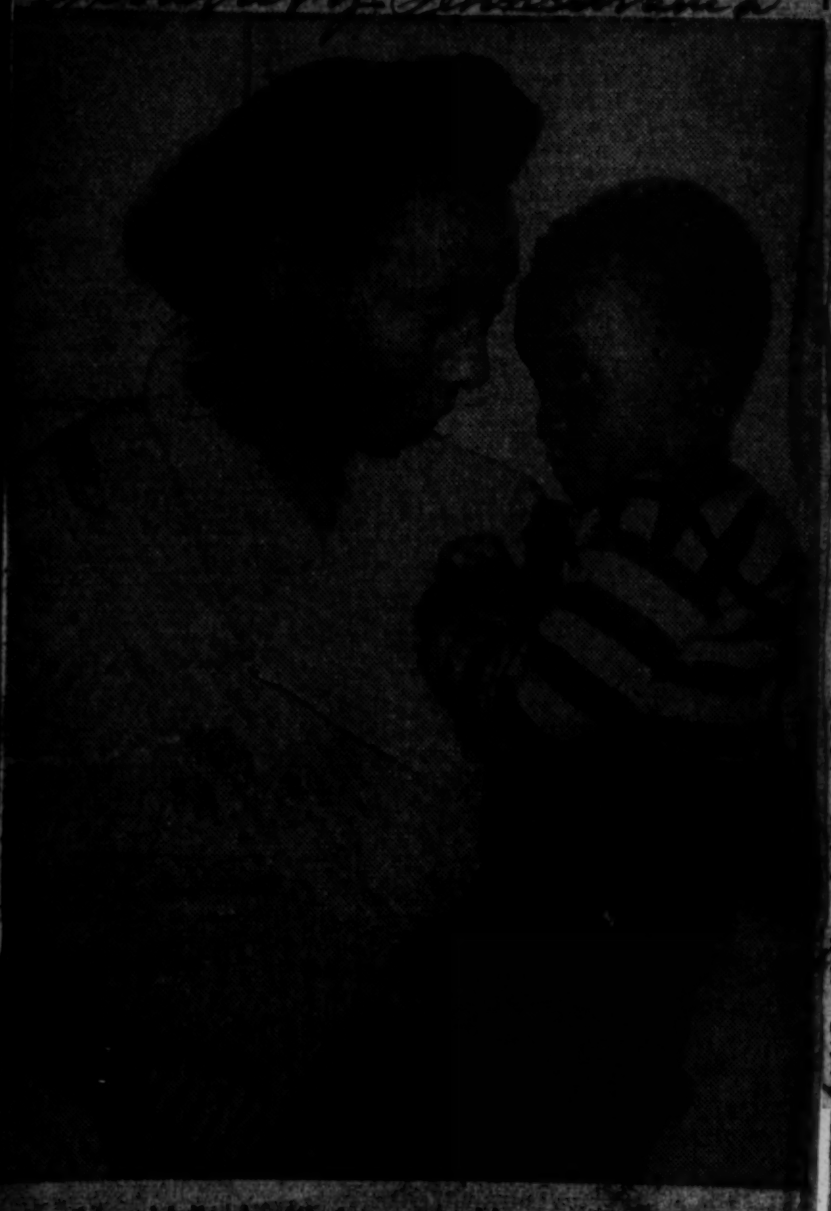
Friends close to Mrs. Mallard assert that sharp differences arose between the lynch-widow and the NAACP national office over her refusal to attack leftwing organizations supporting her fight.

Adding to her tension, friends say, is the fact that her attorneys in Savannah, Ga., are running up huge bills in her absence and are pressing her for payment. Paul Steele, Savannah undertaker, also was reported threatening to sue Mrs. Mallard for her husband's funeral expenses.

7835

GEORGIA JUSTICE!

Mallard Widow Is Crucified at KKK Mob Trial



Mrs. Mallard with two-year-old son after trial.

WHAT TO DO ABOUT GEORGIA

Seldom in the history of American jurisprudence has there been a more shameful miscarriage of justice than that which took place in Georgia last Tuesday.

The farcical "trial" which saw a Georgia jury, in only 25 minutes, set free two white men accused of the brutal lynching of Robert Mallard last November, struck a new low in courtroom [illegible]

Not only did two of the jurors testify as character witnesses for one of the defendants, but they also testified that they would not believe Mrs. Mallard's testimony even though it was given under oath.

Such disgraceful goings-on apparently are legal in Georgia, the State which in recent years has contributed all of the nation's lynchings, but in the more civilized areas it would be impossible to get away with such shady business.

In reality, the accused lynchers actually tried themselves, so no one is surprised that they found themselves "not guilty." What is surprising, though, is the fact that they took as much as 25 minutes to arrive at a verdict. This was wasted time.

Georgia's latest travesty on justice, nevertheless, serves a useful purpose if it does no more than focus the attention of right-thinking people throughout the nation upon the urgent need for a Federal law against lynching.

Life is still too cheap in Georgia and other areas of the South, and when courts of law lend themselves to cheap trickery such as this, they take on the character of the mob and all of the sinister and venom-like attitudes which it represents.

For years, the Ku Klux Klan has had one of its greatest strongholds in Georgia, and it is long past time for the Federal Government to step in and clean up the cesspool in which it breeds and thrives.

The hand of the Klan in the Mallard case was evident from the very beginning, when Mallard's widow was arrested and an attempt made to pin the crime upon her, at the same time absolving the Klan of any part in it.

The Department of Justice should step into the Mallard case immediately and see that justice is done; and the 81st Congress is bound by pledges to enact a Federal antilynching law with sufficient teeth in it to punish all and sundry involved in such a violation of the law.

There is strong need for a law that will make States, counties and communities in which lynchings take place, as well as the lynchers themselves, pay heavily for the "privilege."

Georgia's quadruple lynchings at Monroe a few years ago and its more recent slaying of Isaiah Nixon, a veteran who dared to exercise his right of franchise, are still fresh in the public mind.

The entire nation is stunned at this latest whitewash, and as long as the guilty go unpunished, no one's life, whether it be white or colored, is safe in Georgia.

We have a Federal law against kidnaping, and it is being enforced. How much more necessary is a law making lynching a Federal offense! We cannot afford for one moment to relax our demands for such a law.

2 Jurors Insult Widow; Mob Suspects Acquitted

By ROBERT M. RATCLIFFE
(Courier News Editor)

LYONS, Ga.—Justice came up for a breath of air here last week, but the Georgia Rebels kicked her right back into the cellar and locked the trapdoor.

That done, the Rebels ran up the Confederate flag and got down to the real business of the day—White Su-

up the lynching of Mr. Mallard. That's when I left my Cleveland office and flew down here to aid Mallard's widow," Goldwasser told The Courier.

ANOTHER TRICK

The defense pulled another trick at the outset of the trial. Defense attorneys supoenaed Goldwasser as a defense witness. When he failed to leave the courtroom with other witnesses, he was ordered out. Goldwasser then picked up Mrs. Mallard's 2-year-old son and strutted out of the courtroom and promptly was ushered into the witness room. The defense never called Goldwasser to the witness stand.

Drama filled the packed courtroom shortly after Mrs. Mallard went to the witness stand. After telling the court that Howell was standing on her side of the automobile the night of the lynching and declaring that the defendant had a gun in his hand, Mrs. Mallard was asked to tell how her husband was shot.

BECOMES HYSTERICAL

It was at this point that she became hysterical. Screaming, she yelled:

"It was so horrible! Why did they kill him? He was so good to us . . . I'm so sick."

Judge Humphrey ordered a recess and asked Mrs. Mallard's relatives to take her out of the courtroom.

Mrs. Mallard rolled from the witness chair to the floor, continuing to scream. "I can't stand it . . . no one understands what this means to me," she cried.

CALM ON RETURN

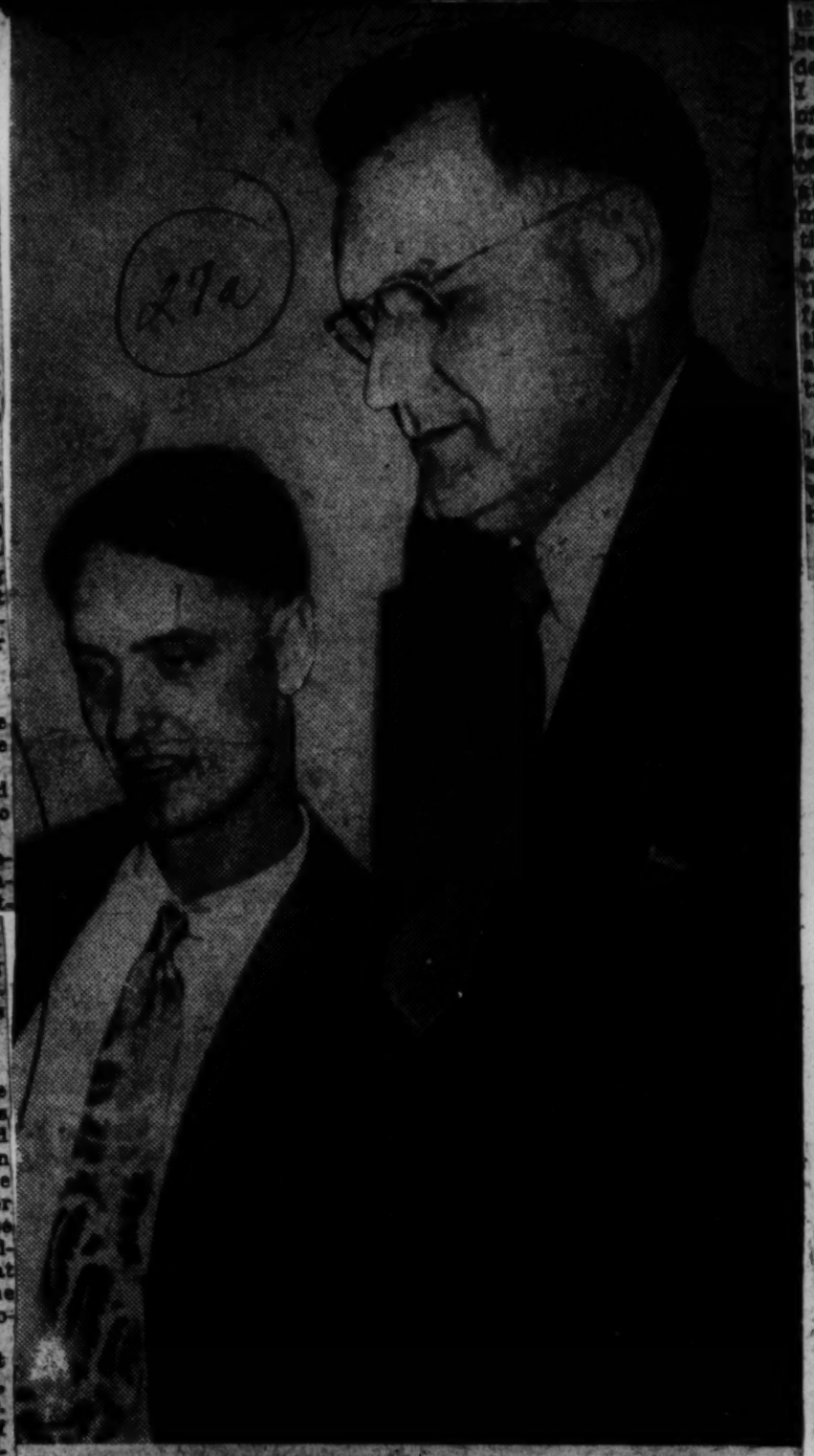
The widow was calm when she returned to the courtroom. It was after she returned to the stand that she denied having a gun in her possession the night of the lynching. She also denied that her husband had a pistol. The defense attempted to prove that Mr. Mallard fired the first shot and that Mrs. Mallard later got rid of the pistol by throwing it in a well located in a nearby churchyard.

Howell, while testifying that he was a symbol of goodness, got in a punch at Goldwasser. "I wouldn't have been on trial if it 'hadn't been for that Goldwasser who carried that n...r baby down the aisle this morning," Howell said as he finished his unsworn statement to the jury.

The jury deliberated twenty-three minutes before bringing in the verdict of not guilty.

Immediately after the verdict was read, the State recommended that a similar indictment against Roderick Clifton be dropped. Clifton was indicted along with Howell in connection with the slaying of Mallard.

Judge Humphrey carried out the recommendation . . . and, so, the books on the Mallard case were closed—for good.



"Spud" Howell (seated) and lawyer, T. Ross Sharpe.

Jurors as Witnesses

To the New York Herald Tribune:

I was [illegible] the trial of William L. Howell, charged with the murder of Robert Mallard, to read that one of the jurors sitting on the case had left the jury box and taken the witness stand as a character witness for the defendant.

I was greatly surprised in the Jan. 13 Herald Tribune to read on the front page where such a situation could occur in New York State.

I am quite sure that no such situation could happen . . . New York or Connecticut, especially in a case of murder in the first degree. In murder cases each prospective juror is examined on the witness stand as to his qualifications to sit on the particular case on trial. The District Attorney conducting the examination would always inquire whether the prospective juror knew the defendant or any members of his family, or had ever had any business with him or any of his relatives. If he had, that would disqualify him as a juror. No District Attorney would allow that kind of juror on the case. If that question had been asked of the Georgia juror, and he had answered it truthfully, how could he have been a character witness for the defendant? One of the reasons I am so familiar with the procedure of the drawing of a juror is the fact that for many years I was the official County Court stenographer at White Plains, N. Y., and reported many murder cases during that time, and know how particular the authorities are in getting a jury that will try the case and render a fair and impartial verdict based on the evidence presented in accordance with the law laid down by the trial judge.

The reason I am writing this letter is to let the general public know that to my personal knowledge what happened in Georgia could not happen in New York or Connecticut.

HORACE S. RICHMOND.

Danbury, Conn., Jan. 13, 1949.

Hint Alibi In Mallard Lynch Probe

By ROBERT M. RATCLIFFE
(Courier News Editor)

LYONS, Ga.—Guarded by State troopers, Mrs. Amy Mallard arrived here Tuesday morning from Savannah and was ushered into the Toombs County Courthouse where she was slated to appear as star witness at the trial of William L. (Spud) Howell, 23-year-old farmer, and Roderick Clifton, 36.

The two men were scheduled to go on trial either Tuesday or Wednesday of this week for the killing last November of Mrs. Mallard's prosperous husband, Robert, 37.

The Courier learned from a very reliable source that the two suspects will offer "airtight" alibis and will present scores of witnesses who are expected to swear that Howell and Clifton were nowhere near the scene of the lynching.

TO IDENTIFY HOWELL

Upon arriving here, grief-stricken Mrs. Mallard told The Courier that she would tell the jury that Howell was one of the hooded, but unmasked men, who stopped the Mallard car on a country road near here the night of Nov. 20.

Robert Mallard, a salesman and farmer, was shot and left to die in his new automobile. Mrs. Mallard was in the car holding their two-year-old son when the fatal bullet was fired.

Two others slated to testify for the State are Angeline Carter, 18, and William (Tim) Carter, 18. Both are Mrs. Mallard's cousins and were occupants of the rear seat of the Mallard car at the time of the slaying.

The two cousins are not expected to be of much help as State's witnesses because both recently told investigators that they hid behind the front seat of the car when they saw the Klansmen. William said he did not recognize any of the men.

"RECOGNIZED HOWELL"

Mrs. Mallard told The Courier that she recognized Howell because he was standing near her side of the car.

Mrs. Mallard and her two cousins were arrested several days after the slaying and held on suspicion of murder in connection with the Mallard slaying, but were released after police grilling failed to link them with the crime.

Mrs. Mallard is expected to tell the jury that her husband had received threats from white people in the Lyons community and that she and her husband were disliked by white people here because they owned a farm and a new car and were fairly prosperous.

NAACP / Mallard

The NAACP is having trouble with Mrs. Amy Mallard, widow of the coffin salesman lynched in Georgia. Mrs. Mallard is so bitter over the death of her husband that she refuses to denounce the President and his associates whenever she gets up to speak before a NAACP rally. The NAACP is afraid some one might shame the "Communist" tag on her.

7836

Real Trial For Lynch Suspects Wanted

TWO white men have been indicted on murder charges in connection with the roadside slaying of a Negro casket salesman near Lyons, Ga., on November 20. They are slated to go on trial on January 11.

Since Georgia mobsters of late have improved their lynching technique by discarding the rope and employing massed gunfire, this killing, although not yet officially classified as such, will doubtless go down into the record as a lynching.

The outcome of the trial is, of course, problematical, as it must be. Under our laws, all persons accused of crime are presumed innocent until proved guilty by competent evidence. Like any other defendants, the accused men are entitled to a fair and impartial trial, but it is to be hoped that it will prove to be a trial in a very real sense.

What is wanted is a trial that will not only safeguard the civil rights of the accused, but will also square with the ends of justice. No man should be forced to pay the penalty for a crime he did not commit, nor should the guilty go unpunished.

The proceedings will be watched with nationwide interest. In them the state has a great stake; anything less than a vigorous prosecution of the case will redound to the greater shame of Georgia and the South.

The record of southern courts in the prosecution of cases of this nature is far from creditable. Mostly, the prosecutions have been mere pretenses, judges and juries have exhibited bias, and the trials have wound up as farces.

Georgia, a state where the mere mention of the possibility of the enactment of a federal anti-lynching law arouses violent protest, must not allow the trial of the two men charged with the ambush slaying of the casket salesman to become a burlesque.

The action of Governor HERMAN TALMADGE in the circumstances have been above criticism, so far. He acted promptly upon information supplied him by an outsider, a Cleveland, Ohio, merchant, who voluntarily interceded in the case while the sheriff of the county in which the crime occurred was busily engaged in exonerating the Ku Klux Klan of probable culpability.

The county grand jury, impaneled by the Superior Court judge specifically to consider the evidence submitted, deemed that to be of sufficient weight to warrant the finding of a true bill.

That too was an act which meets the requirements of impartial dispensation of justice. The climax in this story will be reached when the trial jury returns its verdict. We can only hope that the state will present its case ably and honorably, and that the jurors will return a verdict that will square with the public conscience and the evidence unfolded.

In a sense, the state of Georgia itself goes on trial at Lyons on January 11.

GEORGIA:

Trial by Jury

Last week in the 30-year-old red-brick courthouse in the crossroads town of Lyons, Ga., the seat of Toombs County, a 32-year-old white farmer named William L. (Spud) Howell went on trial for murder in the lynching of Robert Mallard, prosperous Negro casket salesman, last fall (NEWSWEEK, Dec. 20, 1948).

As star witness, the victim's widow Amy Mallard, 40-year-old schoolteacher, testified how a white-robed gang of twenty men ambushed her and her husband in their new car on a side road last November. "It was hands up," she said. "Everybody I saw had a gun." Sobbing, she covered her face with her hands. Then she pointed out Spud Howell as a member of the mob who had brandished a pistol. Shots were fired and the mob vanished, she continued. Her husband "slumped down, blood rushing out of his mouth and nose."

The jurors saw the overwrought widow fall to her knees. They heard her shout hysterically: "Oh Lord, oh Lord, why did they murder him?"

With Howell pleading innocence, the big question was whether the all-white jury would believe Mrs. Mallard's story. On the ground that no fair trial was possible in Toombs County, Joseph Goldwasser, Cleveland, Ohio, department-store owner and member of the National Association for the Advancement of Colored People, had planned to seek a change of venue. But his plan was foiled by T. Ross Sharpe, the Talmadgeite defense attorney. Sharpe worked the trick of handing Goldwasser a subpoena as a defense witness to keep him out of the courtroom. Then he never called on the Northerner to testify. To the jury Sharpe denounced Goldwasser as the "roaring lion of Judah."

Time to Whistle: As the climax, the defense pulled another unusual but not illegal trick dating back to English common law and permitted in most states. It called two jurors to the witness stand to vouch for the defendant's character. Juror L. J. Usher, who had sworn he would be impartial, now testified that Howell's reputation was "good and Amy's pretty bad." Asked if he would believe Mrs. Mallard's testimony, he said: "No." James W. Currie, another juror who had sworn he would be impartial, also called Howell's reputation good and Mrs. Mallard's "bad from what I have heard." He also said he would not believe her testimony.

Said Defense Attorney Sharpe: "That same trick was pulled on me 25 years ago in this very courtroom. I've been waiting ever since for a chance to use it."

With that, the curtain fell quickly. The jury—including Usher and Currie—acquitted Howell of murder. Howell grinned. The packed courtroom echoed with handclaps and whistles. The State of Georgia, which had not pressed the Howell case too vigorously decided not to press at all a parallel indictment against another white farmer, Roderick Clifton, on the ground that the evidence against him was "even weaker." It remained for The Atlanta Journal, however, to write this finale: "The Toombs County trial was a travesty on justice and a besmirching of Georgia's name."

GUILTY OF BEING BLACK

(ATLANTA *NR* correspondent)

Though it may be small consolation to the widow of the man who was murdered, the fight for a federal anti-lynching bill will be helped by the travesty of justice that took place last week in Lyons, Georgia. There, two white men charged with the lynch-murder of a Negro were set free after a "trial" which can only be described as a formality. We do not know, and are not saying, that the defendants were guilty; but certainly no one can be satisfied with what happened in the courtroom except the most bigoted supporters of "white supremacy."

The case, which was described in the *NR* of December 27, involved the murder of Robert Mallard, a prosperous Negro, accused of no crime except that of being well-to-do and perhaps not properly subservient to his poor-white neighbors. Driving home with his wife one night, he was halted by a gang of 20 men dressed in white robes. Mallard was shot and killed.

The local authorities clearly intended to do nothing about the murder. They were forced into action by the singlehanded publicity campaign of Ralph McGill, editor of the Atlanta *Constitution*, and two white men were were finally put on trial. One of them was acquitted by the jury after 26 minutes. The case against the other was then dropped.

The widow had positively identified the man, W. L. Howell, who was found not guilty. Two members of the jury, who had previously sworn to their impartiality, stepped down from the juror's box and testified, without any supporting facts, that they would not believe Mrs. Mallard because of her "bad reputation." For jurors to leave the box and testify in the course of a trial is legal in Georgia, and in many other places; but even in Georgia the use of such methods in a murder trial is almost unprecedented.

Howell, having been acquitted, cannot be tried on the same charge again. His companion, R. L. Clifton, might possibly be brought to trial in a federal court. There is a provision in the Federal Code which makes it a crime to go in disguise on the public highway to deprive another of his rights.

But no trial would be anything but a mockery if held in Lyons. It is clear that the real defendant in last week's affair was Robert Mallard. He was found guilty—guilty of being black.

TRIAL PROCEDURES

Many people doubtless were shocked to read of the acquittal by a Georgia court and jury of white defendants charged with the murder of a Negro principally because one of the jurors took the witness stand as character witnesses for the defendant and then resumed their places as members of the jury which brought in the verdict of "not guilty." Actually, this astonishing performance is not peculiar to Georgia law but is apparently permissible in a great many jurisdictions, including New York. It stems from the days of small communities when it was difficult, if not impossible, to fill a jury

Mallard Case Shakes Nation

Farmer's Acquittal Challenge to Congress

MOB RULE UPHELD

Antilynching Law's Passage Only Answer

LYONS, Ga.—The farcical "trial" and speedy acquittal here Tuesday of a white Georgia farmer charged with lynching a colored farmer-salesman last year not only embarrassed the nation, but added urgency to the people's November mandate that Congress pass legislation outlawing mob rule, as recommended by President Truman.

The urgency for enacting the President's civil rights proposals into law is strengthened by two sinister developments following the travesty on justice in Lyons, Ga.:

1. The day after the Mallard trial, Gov. Herman Talmadge's administration sent a bill to the Georgia Legislature designed to strike the State's 150,000 registered colored voters from the rolls, part of a four-point "white supremacy" program;

2. Two days after the Mallard trial, 17 Southern Senators banded together to preserve the filibuster as a "club" to guarantee the death knell of the President's civil rights program.

The Verdict Smells

William L. Howell, 32, one of two white farmers charged with the ambush slaying of Robert Mallard, successful colored farmer-salesman, last Nov. 20, was acquitted here Tuesday in 25 minutes by an all-white jury—two members of which testified they would not believe the victim's widow under oath.

The jurors were called as character witnesses for the defendant — identified by Mrs. Amy Mallard, the victim's widow — in a proceeding which a member of the Attorney General's staff in Atlanta called "unusual" — although it has been done in other trials in Georgia.

Jurors Laud Defendants

They testified that the accused lyncher's reputation was good and that they would not believe Mrs. Amy Mallard under oath.

It was a tough day for the little woman who had sat beside her husband in the new Frazier car barely two months ago and seen him shot down by a white-robed mob as they returned home from a social at the school where she taught.

The prosecution and defense completed testimony in the trial shortly after noon. There were 5 prosecution and 20 defense witnesses called. Closing arguments began at 2 p.m.

Testimony Ruled Legal

There was some objection when the jurors were called from their box to serve as character witnesses, but neither the prosecutor, Solicitor General W. H. Lanier of the Toombs County Circuit, nor the judge objected.

Defense Attorney T. Ross Sharpe, who called them, said the "same trick" was pulled on him some 25 years ago and that he had been waiting ever since for a chance to use it.

He said he could have called 11 of the jurymen as character witnesses for Howell if he had wanted to do so.

Presiding Judge R. H. Humphrey confirmed Sharpe's opinion, saying: "It's perfectly legal."

The judge admitted he didn't know how widespread the practice was, but he added that he believed that almost anyone could be called as a character witness in a case regardless of what other connection they might have with it.

The first witness called by the State was Mrs. Amy Mallard, who became hysterical as she described how the blood spurted from her husband's mouth and body after the mob's attack.

Widow Becomes Hysterical

She told how they were returning from a school social on the night of Nov. 20 when they passed a car full of white men. The car's lights were blinked a couple of times and the automobile followed the Mallard car until it turned off the side road leading up to the Mallard farm house.

"All of those people appeared in front and this car came up bumper to bumper in the back. There were about 20 of them. They began shooting and my husband was shot. I crouched down in the car and thought at one time that I was shot myself," Mrs. Mallard testified.

The widow then told how she went around the car after the shooting to help her slain husband.

Bar Mrs. Mallard's Friend

It was at this point that the State prosecutor and later the defense lawyer egged her into hysteria repeating several questions about where she saw the blood coming from her husband's wounds.

The terrified widow fell to the floor from the witness stand, sobbing and screaming. She lay there until a court attache volunteered to pick her up. There wasn't a colored spectator in the first floor.

Only Joseph M. Goldwasser, the white Cleveland industrialist and NAACP member, had volunteered to be at her side; and he had been excluded from the courtroom.

A short recess had to be allowed for Mrs. Mallard to regain her composure.

Positive in Identifications

The widow denied that her husband had a pistol in the car at the time of the mob-slaying. She alslo denied that she had thrown such a pistol in a well after the event.

She positively identified Howell and Clifton as being among the mobsters. Defense Attorney T. Ross Sharpe tore bitterly into her identifications, but she never wavered, except to sob quietly.

William "Bill" Carter and his sister, Angelina, who also were passengers in Mallard's automobile, gave virtually the same story as Mrs. Mallard. They, however, did not identify anyone as being a member of the mob.

Howell Has "Perfect Alibi"

Defendant Howell had the "perfect alibi." He said that a Mr. and Mrs. Thomas Banks, white, spent the night of Nov. 20 at his home. He declared they sat up until 11 p.m., playing the radio and talking.

The Howell home is about 100 yards away from the scene of the shooting. Howell said he heard nothing violent happen along the road on the night Mallard was lynched. He said he had not talked to Mallard more than twice in his life.

Defense Counsel Sharpe then called two jurors to the stand to testify as to the character of defendant Howell. They were L. J. Usher and A. W. Currie. Both said they would not believe Mrs. Mallard under oath.

Gun Story Concocted

Witness Frank Brinson, white, first to reach the scene of the shooting, told jurors that when he reached the scene a "long gun" pistol fell from the car to the ground.

In his own defense, Howell stated:

"I am not guilty. I never talked to Mallard more than twice in my life. I do not own a gun and I know nothing about it.

"She (Mrs. Mallard) has told so many different tales I don't believe she knows who did it. I was not mad with Mallard. I am just a poor tenant farmer on my father-in-law's place. The Mallards have nothing I wanted."

Goldwaseer Vilified

Goldwasser testified under subpoena that he had entered the case in the interest of justice. He said he would inform the U.S. Justice Department that Mallard's civil rights were violated.

Attorney Sharpe attacked the character of Goldwasser in such an unwarranted manner during the summation that Judge Humphrey had to rebuke Sharpe and tell him to confine his remarks to a review of the evidence.

Goldwasser revealed he had received thousands of death threats for participating in the case, but that he had been crusading 21 years and was not afraid. He had accompanied Mrs. Mallard from Savannah in a State patrol car.

Lynch Atmosphere Prevails

Sharpe bemoaned the fact that a Jew had come South to help a "n—r woman."

The courtroom snickered freely when Mrs. Mallard sobbed and collapsed.

A proposal by Goldwasser for change of venue in the case was met with scoffs from both the State and the defense. Lanier, the prosecutor, told the court that he had "no use" for Goldwasser, that he had never conferred with him and that the Ohioan had nothing to do with the case.

Second Defendant Dismissed

Immediately following the verdict for Howell, the prosecution asked that the murder charge against the second arrested man, Roderick Clifton, 32-year-old farmer, be dropped.

Sharpe objected to the motion, saying he wanted an acquittal verdict. Judge Humphery ruled it was the privilege of the solicitor general to ask that the charge be dismissed and that he was granting the request.

Judge Humphrey directed Sheriff Robert Gray to collect a $5 fine from one demonstrator during the uproar characterized by whistling, handclapping and cheering that followed the verdict.

Hearsay Evidence Admitted

The all-white jury of Toombs County businessmen and farmers was composed of Silas McCain, Pete Hammond, Silas Davis, Fred Wilson, W. E. Presser, C. V. Alexander, R. W. Cammack, George R. Anderson, J. W. Cullen and Willis McClain, in addition to Messrs. Currie and Usher.

At one point in the trial, Mrs. R. L. Gray, wife the Toombs County sheriff, told the court that William Tim Carter, who had been jailed with his sister, confided to her that Mallard fired the first shot and that then "somebody else fired the others."

Only five of the ten prosecution witnesses sceduled to be called in the case testified during the seven-hour hearing.

Three hundred white spectators packed the unseasonably hot courtroom while 60 colored citizens sat in the jim-crow balcony.

Local residents said Mrs. Mallard's husband aroused resentment because he lived and dressed well and would not let a white man get the best of him in an argument.

Shows Strain

Mrs. Mallard shows the strain of the "weeks of hell and worry" that she has spent since her husband was killed. Fearful of harm by Georgians, she refuses to travel by bus, train or plane (not in Georgia), and seldom visits public places.

Prior to the trial she stayed in Jacksonville, Fla., and even there she was pointed out by persons who had seen her picture in the papers as she walked along the streets.

She has been forced to dodge in and out of places and to wait until darkness before she left her rented room. Rent at her hideout was paid by the Georgia Defense Council, which also is paying her Savannah lawyer, Aaron Kravitch.

The only lawyer that Mrs. Mallard paid was a white Lyons attorney who quit under pressure, but has not made any gesture that would indicate he intends returning the money. A second white lawyer has been hired by the NAACP and a "colored lawyer of Atlanta" has been hired by the Georgia Defense Council.

To Quit Lyons

Mrs. Mallard is sure that she will never again live in Lyons, Ga. She probably will never again return there — except under police guard.

"Sure, I believe that those people will kill me. I have learned the hard way that there is no law in Georgia. I will not be fooled again.

"My husband thought that the white folks would not kill him. He received many threats and warnings but we laughed them off. We thought that they were nothing more than jokes. We knew that we did not harm any one. We went our way. But they killed my husband right before my eyes. That's why I know that they will kill me," she explained.

RALPH McGILL

Bitter Laughter Of the Gods

There are certain ironic moments in which, afar off, one may hear the mocking laughter of the gods.

As one who was indignant about the Walton County lynchings some years ago and the failure of justice to apprehend the guilty, as one who was again publicly outraged by the methods of the Mallard case of more recent date, I felt I could also be indignant about the travesty of justice in the Cardinal Mindszenty case in far-away Hungary.

But in looking at the papers which were quiet as the grave, or even evasively defensive on the two local cases noted above, I read with bitter pleasure how wrathful and indignant they were about the legal lynchings in Hungary. They could work themselves into a fine lather about it and could hit out hard with proper indignation.

Evil It isn't anything new—really. It is what we in the trade call "editorial Afghanistanism." In other words, it is easy to attack evil in far-away places, but not so pleasant, always, at home. It was easy to discuss, for example, and with forceful words, the British treatment of India, but to ignore the local racial problem.

So there are those who are indignant about Mindszenty, but apologetic or defensive about the miscarriages of justice at home.

People It took me a long time, but I finally learned, that the first thing a fellow must study is the people with whom he is to live and work. The people of every State have come up from the colonial years subjected to varied conditions, economic and social, which have made them what they are. These historical processes, in which little or much education, destruction of property by warfare, poverty and extreme and violent changes in the fabric of their civilization or way of life, make all of us what we are. I think, for example, certain portions of South Georgia are affected to this day by the tremendous land speculations of more than a generation ago in which millions more acres of land were sold than were there and over which the several owners fought it out with guns, setting a pattern of feuds and violence.

Life For too many persons today the typical condition of life is confusion, doubt and fear. The lives of too many Americans are barren and stark. The most shocking portion of the best-seller novel, "The Naked and the Dead," is not the horror of war, but the barren backgrounds of the men involved. They are revealed as having come from, and destined to return to, civilian lives which are in essence much more purposeless and futile than were their experiences in war. The job is a slow one of reaching people who need economic and social reform before they reform politically.

The job is a slow one of reaching people. That is why, when I finally learned, I became more and more impatient with those who are impatient about agreeing on Utopia. I know much about us is bad and struggle constantly to make it less bad. I also know we are making progress. Our politics leave much to be desired, a possible understatement. But our State politics are so much better than they were a generation ago, as the national politics are less corrupt and influenced by fewer bosses and machines than was true 20 and 40 and 60 years ago. Intolerant dogmatism is the quality which has ruined many a liberal movement.

Measures It is necessary to know why we are what we are before trying to apply yardsticks, either social or political. I frankly admit that years ago when I was sure the millennium could be attained within a week or so, I tried to apply a yardstick to all problems. That was before I read Howard Odum's "Southern Regions" and before I learned that the economic, social and political stresses of no two Southern States were alike.

So I learned that one of our errors is a persistent attempt to use the identical social and political yardsticks to measure much that cannot be so surveyed.

We are not going to stop lynchings or the Ku Klux Klan or other stupid and dangerous attitudes and movements simply by saying they are evil—which they are—wicked, which they are—un-Christian and un-American—which they undoubtedly are.

We can begin to stop them—as we have, since none of these organizations or movements has the members, the force or the influence they had 20 years ago—by raising the standards of living through more jobs and the standards of thought by more education and vocational training.

Communities with people wanting jobs will learn—many already have—that no company wants to invest money in a community which tolerates the Ku Klux Klan or violence.

We can't denounce or criticize people into this attitude. We can try to lead. Not until each community is as angry about injustice at home as it is about Mindszenty or the Protestant clergy arrested in Hungary will we do the real job.

THANKS TO THE STATE OF GEORGIA, THE President's civil-rights program has a better chance than ever to get through Congress. If proof is needed that certain states are still powerless or unwilling to stamp out the crime of lynching, Georgia has provided it in the Mallard case. If a federal anti-poll-tax law is held to be unnecessary on the ground that the states themselves are abandoning such devices, Georgia is there to refute the argument. No satire on Dixie justice could compete with the truth as acted out in the town of Lyons, where two white men theoretically stood trial for their lives last week in the lynch murder of Robert Mallard. Originally a Northerner, Mallard had offended some of his Toombs County neighbors by his "superior" attitude, by owning a new car, and by refusing to let white men get the better of him in arguments. A band of hooded men stopped his car on a country road and shot him to death in the presence of his wife and two young cousins. On the widow's identification, two men were indicted for the crime. The crux of the case, said the prosecutor, was whether or not the jury was willing to believe her. But so faint was his ardor for a conviction that he failed even to challenge prospective jurors for holding preconceived judgments, with the result that two of them, on invitation, stepped down from the jury box and testified to the good reputation of the defendant. Mrs. Mallard's they declared "pretty bad," though they offered no substantiation, and both said they would not believe her under oath. The prosecutor took no exception, the jurors returned to their box, and when they subsequently retired with their fellows it took only twenty minutes to bring in the preordained acquittal.

*

FAR FROM SHOWING ANY SIGNS OF SHAME over this judicial indorsement of murder, the Georgia legislature made the case the subject of a joke and moved on to Governor Talmadge's four-point white-supremacy plan. His program would wipe out the present registration list, containing the names of 150,000 Negroes, end permanent registration, restore the poll tax abolished under Ellis Arnall, and require prospective voters to "explain in a simple, fair, and reasonable manner" any section of the state or federal Constitution, the registration official to judge the performance. With the impetuousness of youth, "Young Hummon," it would seem to us, is trying to move too fast as well as backward. At one stroke, he would like to end what he denounces as the menace of "Negro bloc voting" and, by cutting registration to the bone, secure machine control of the state for years to come. The federal courts, we assume, will take care of the requirement to explain the Constitution. Georgians who enjoyed civilized government under Arnall will fight the scheme to make the future safe for Talmadge. And Congress, we hope, will take advantage of the renewed incentive to pass both anti-lynching and anti-poll-tax measures. The proof of the desire will be the success of Democratic leaders in putting an end to the insufferable filibuster. We do not regard the regrettable postponement of this question as a sign of Administration wavering, but neither do we see any sense in protracted hearings on the question of a Senate rule. There has been enough cant about "gradualism" and the statesmanlike desire of Southern states to solve their own problems. The Mallards are not only Georgians; they are Americans. If Georgia cannot or will not protect their lives and their rights, then the United States will have to do so.

Georgia Farmer Is Freed in Negro's Slaying; Two on the Jury Refuse to Believe Widow

LYONS, Ga., Jan. 21 (AP)—An all-white jury quickly acquitted a white farmer today who was accused of murdering a Negro after two of the jurors testified that they would not believe the slain man's wife under oath.

The jurors were called as character witnesses for William L. Howell, 32 years old, who was charged with the ambush killing of Robert Mallard on Nov. 20. Tuskegee Institute termed his death a lynching.

A member of the Attorney General's staff in Atlanta said that the procedure of calling jurors for testimony was unusual, but that it had been done in other trials in Georgia.

Mr. Howell was freed after the jurors deliberated twenty-five minutes. The prosecutor then asked that murder charges be dropped against Roderick Clifton, 22, also a white farmer, who was awaiting trial in the case.

The charge was dismissed over the objection of T. Ross Sharp, defense lawyer, who said that he wanted an acquittal for reasons he did not care to reveal.

The crowded court room echoed with whistles and handclapping when the Howell verdict was returned.

Mr. Howell told the jurors that he knew nothing about the slaying.

Mrs. Amy Mallard, widow of the slain man, became hysterical on the witness stand, slid from her chair and rolled on the floor, crying: "Why did they kill him?"

Court was recessed for a few minutes until she regained her composure. Mrs. Mallard testified that twenty or more men wearing "white things" and something on their heads waylaid the Mallard

...and shot her husband. She said that all of the men held pistols and that several shots were fired. She picked out Mr. Howell in court as one of the men in the group that killed Mr. Mallard.

The widow said that she, her husband and her cousins, Angelina Carter and W. T. Carter, had attended a school party and started home about 11 P. M., when the group of men halted their car at a narrow place in the road.

Angelina Carter confirmed the widow's story and said that she did not know who fired the fatal shots. William Carter told the jury that there were only eight or ten men in the group.

Mr. Sharp called eleven defense witnesses, including the two jurors, L. J. Usher and A. W. Currie, as character witnesses. All testified that Mr. Howell's character was good, and that they would not believe Mrs. Mallard on oath.

Lawyer Wants Shift Of Trial To Atlanta

LYONS, Ga.—(SNS)—When two white lynch suspects go on trial here today in the November 20 ambush slaying of Robert Mallard, the slain man's widow, Mrs. Amy Mallard, is expected to arrive in custody of Joseph M. Goldwasser, who declares every effort will be made to have the case tried as a lynching and not as an ordinary homicide.

Goldwasser, a prominent white Cleveland businessman who befriended Mrs. Mallard had claimed he entered the case and procured the power of attorney from the widow because he wanted to see justice done. His latest statement is that he has "sensational new evidence" to offer at the trial.

Those men facing trial on murder charges today are Roderick Clifton, 32, and William L. (Spud) Howell, both of whom Mrs. Mallard identified as being members of the cloaked mob that killed her husband.

THIRD SUSPECT KNOWN

Goldwasser said the new evidence identifies a third suspect named recently by William Tim Carter, 13, and Angeline Carter, 13, two young cousins of the Mallards who were riding in the car when their uncle was fatally shot.

In addition to seeking a full prosecution of the suspects, Goldwasser said he would ask for a change of venue to Atlanta for fear Toombs County might hesitate to convict its men.

State troopers are expected to give the fullest protection to Mrs. Mallard during her visits to Lyons during trial proceedings.

...torney for the defendants, that the trial would be short. Presiding over the trial will be Superior Court Judge Robert H. Humphrey, of the Middle Georgia Judiciary District. The prosecution will be led by Solicitor-General W. H. Lanier, of the Middle Georgia Judicial District; assisted by W. W. Larsen, of Dublin, Ga. The latter jurist was retained by the [illegible]

TENSE TRIAL EXPECTED

It is speculated that more than 25 witnesses will be called by the defense, a majority of whom will be character witnesses. Other than Mrs. Mallard, the key witness for the state, her two young cousins and Mr. Goldwasser will in all probability give testimony.

It is believed that Atty. Sharpe will endeavor to have the defendants tried separately. An angle which promises to figure prominently during the trial is an accounting of a pistol owned by Clifton which he claimed was misplaced before the slaying. Clifton, who was employed as a convict guard for seven years until the shooting occurred, procured a carrying permit for a pistol two days after Mallard was shot to death.

Widow Ready To Testify In Lyons

LYONS, Ga.—(SNS)—A question is to be asked here Tuesday in the Toombs County Courthouse when Roderick L. Clifton, 32, and William L. Howell, 24 go on trial for the lynch-murder of Robert E. Mallard.

The bone of contention is: Can local and state law enforcement authorities be depended upon to convict known lynchers and murderers, if the evidence warrants it?

The final answer will shape sentiment opinion for a Federal Anti-lynching law which was presented to the 80th Congress by President Harry S. Truman.

Solicitor-General W. H. Lanier of the Middle Georgia Judicial District is preparing to bring Clifton and Howell to trial January 11, in the Toombs Superior Court, with Judge Robert H. Humphrey, presiding.

The case, which has attracted nationwide interest and comment, is expected to draw a throng of spectators, photographers and reporters.

THE KEY WITNESS

Mrs. Amy James Mallard, widow of the slain man, is the key witness in the sensational case. The two men were indicted mainly on her testimony before a special session of the Toombs County Grand Jury. Mrs. Mallard, a witness to the lynching, claimed she recognized Howell at the scene of the shooting and identified Clifton's automobile as one of the three or more which blocked a narrow, wooded road along which the Mallards were driving home from a school social.

After the lynching (it was classified as such by the research department at Tuskegee Institute) Mrs. Mallard fled Lyons in terror and took up refuge in Savannah. Two youthful witnesses to the crime, William T. and Evalina Carter, later joined her in seclusion there. All contended they were fearful of attempts upon their lives.

INTEREST SHARP

Interest was sharpened in the case when T. Ross Sharpe, defense attorney for Clifton and Howell, claimed the two men would have a "perfect alibi."

Clifton and Howell will plead innocent to charges they were in the company of hooded men, who waylaid and shot to death the prosperous casket salesman.

"Unless something unforseen happens, we will be ready on Tuesday," Sharpe said. He will present about 25 witnesses, many of them character witnesses, and others to back Clifton's alibi.

Sharpe will move to have the cases tried separately, as the identification evidence against the men differs, he said.

CANCELLED PERMIT

The prosecution is expected to rely heavily upon evidence that Clifton cancelled his pistol permit, but Sharpe discounted this contention. He needed a pistol, Sharpe said, because he was employed as a convict guard for seven years and until the shooting. He said Clifton lost his original pistol in August, and could prove it by documentary evidence.

Clifton and Howell have been at liberty under bonds of $12,500 for nearly three weeks. They had surrendered to Sheriff R. E. Gray on Dec. 4 after their names were rumored in the case.

Mrs. Mallard will come from her Savannah refuge to testify at the trial. Aaron Kravitch, her attorney said she might request state troopers to escort her.

W.W. Larsen of Dublin, Ga. solicitor-general of the Dublin Circuit, has been retained by the National Association for the Advancement of Colored People to assist in the prosecution.

Mrs. Amy Mallard has signed a retainer requesting NAACP assistance in bringing to justice her husband's slayers.

The NAACP, in accepting responsibility for the prosecution, declared through Special Counsel Thurgood Marshall: The NAACP will press for vigorous prosecution in the state courts but at the same time will not lessen its insistence that the federal government prosecute under the civil rights statutes.

U. S. Declines To Intervene In Mallard Case

Special to The Chronicle

WASHINGTON — Officials of the Department of Justice said here yesterday there would be no Federal investigation in the case of the murder charges brought at Lyons in connection with the alleged lynch-slaying of Robert Mallard, Negro, who was killed in Toombs County last November.

After examining the statutes officials said they were unable to find where any Federal law had been violated in the case in which two defendants, who had been indicted for the crime, were freed this week.

The Department said it had received no request for intervention from Joseph Goldwasser, Cleveland, Ohio, man who had interceded in the case in behalf of the slain man's widow. Goldwasser had announced after the trial he would ask the Department to look into the proceedings to see if any violation of civil rights was involved.

Georgia Justice

Fundamental Right Flouted by Lyons Procedure

To the New York Herald Tribune:

I share the shame of those Americans who read of the trial in Lyons, Ga., in which William Howell was charged with the lynch murder of Robert Mallard. Trial by jury—perhaps our most fundamental right—was held to scorn, mocked and disrobed. I do not contend that the defendant was guilty as charged—for I do not know sufficient of the facts to pronounce judgment. I do, however, abhor and condemn the selection of the jury which determined the issue.

Two members of this "jury" were called as witnesses and testified to their preconceived ideas of what did occur. They also admitted a predetermined refusal to believe anything that the prosecution witness (Mrs. Mallard) might have sworn to. These men were not fact finders.

Their presence on the "jury" was only to insure a verdict satisfactory to certain other persons. It was not even pretended that they would base their conclusion on the testimony offered at the trial.

Whenever any American condemns a trial "put on" by any foreign tyrant he ought to remember—this trial was "put on" in the United States of America; his family, instead of the Mallards, might have been deprived of protection by law.

There is very little left to a man on earth without that.

JACOB R. TIETJE.

New York, Jan. 12, 1949.

7838

Praise for Mallard Befriender Gets Short Shrift in Atlanta

ATLANTA, Jan. 12 (UP)—A resolution was introduced in the Georgia House of Representatives today commending Joseph Goldwasser, Cleveland, O., businessman, for his interest in the Lyons, Ga., lynch-slaying trial.

On motion of Speaker Fred Hand, the House voted unanimously to refer the resolution to the Drainage Committee.

Old hands in the Legislature say the committee was created to permit the speaker to "drain off" any legislation he wants to hear no more about.

(After two members testified for the defense, a jury at Lyons deliberated only 20 minutes Tuesday before acquitting one of two white defendants charged with the Nov. 19 ambush murder of Robert Mallard, prosperous Negro funeral supplies salesman.

(Goldwasser, who befriended the murder victim's widow, had announced plans to seek a change of venue, but was subpoenaed by the defense as a witness and was kept from the courtroom during the trial.)

Two Toombs Men Freed in Mallard Case

Jurors Testify For Defense; Goldwasser Barred

LYONS—Two white men were freed of murder charges in the alleged lynch-slaying of Negro Robert Mallard yesterday after a swift-paced trial that lasted only seven hours.

A Toombs County jury acquitted William L. "Spud" Howell, 32-year-old farmer after deliberating only 25 minutes.

Immediately after the verdict, the prosecution asked that a murder charge against Roderick Clifton, 32-year-old farmer, be dropped. Judge Robert H. Humphrey granted the motion despite an objection by Defense Atty. T. Ross Sharp. Sharp said he wanted an acquittal verdict in Clifton's case.

Judge Humphrey said, however, it was the privilege of the Solicitor General to ask that the charge be dismissed, therefore he would grant the Solicitor's request.

The crowded courtroom echoed with whistles and handclapping when the verdict was brought in. Judge Humphrey spotted one of the demonstrators and directed Sheriff Robert Gray to collect a $5 fine. The fine was paid by the unidentified offender.

The verdict in the Howell trial which was carried on in a jam-packed courtroom was featured by the collapse of the chief State witness, Amy Mallard, widow of the slain man, into screaming hysterics, and the legal maneuvering of Defense Atty. Sharp who sprang two surprises on the court.

The first of Sharp's maneuvers came just before the trial opened when the attorney subpoenaed as a witness Joseph Goldwasser, of Cleveland, a representative of the widow who had planned to seek a change of venue. The move enabled the defense to exclude the Ohioan from the courtroom during the trial.

The second move came during the early afternoon when Sharp called two jurymen as witnesses.

In a rare procedure, the jurymen stepped from their box to testify that they would not believe under oath the chief prosecution witness, Amy Mallard.

The widow earlier dramatically pointed out Howell as the man she recognized among a band of about 2[illegible] sheeted white men which waylaid the family car and shot her husband to death Nov. 19. She broke down in hysteria as she recalled the blood running from the wounds of her dying husband.

Howell denied any connection with the crime in an unsworn statement, as allowed by Georgia law. He said he was "home in bed at the time of the crime," and added he did not own a gun.

Defense tactics were aimed at breaking down the story told by the widow. They brought out, through cross-examination and through testimony of law enforcement officers, that Amy Mallard did not identify Howell as a member of the mob until after she herself was served with a murder warrant.

The summations in the case were sparked by a virulent attack by Attorney Sharp on the character of Joseph M. Goldwasser. Judge Humphrey had to rebuke Sharp and tell him to confine his remarks to a review of the evidence. Prosecutor W. H. Lanier urged the jury to decide the crucial question: Was the widow correct when she said that she identified Howell among the mobsmen who killed her husband?

Judge Humphrey did not charge the jury, but instructed it on points of law in the evidence.

Goldwasser, Cleveland businessman who entered the case "in the interest of justice," said he would go to Washington and appeal to Atty. Gen. Tom Clark if convictions were not obtained.

The Ohioan said he had received thousands of death threats, but he had been crusading 21 years and was not afraid. He acompanied Amy from Savannah. He carried Amy's infant son, John, when the party arrived in a police car.

In connection with the use of jurors as witnesses, a member of the attorney general's staff in Atlanta said the procedure was unusual but it had been done in other trials in Georgia.

Tuskegee Institute in Alabama called Mallard's death one of two U.S. lynchings in 1948.

Goldwasser In Savannah On Slay Case

SAVANNAH—(INS) — Joseph M. Goldwasser, the Cleveland department store owner who volunteered to aid Amy Mallard in bringing the killers of her husband to justice, arrived in Savannah last night.

Goldwasser is going to appear in the Mallard trial in Lyons tomorrow morning.

The official of the National Association for the Advancement of Colored People, has offered to help the Negro woman with both money and advice.

Walter White, President of the NAACP, stated, however, that Goldwasser was not acting in the Organization's behalf.

Goldwasser is President of the Peerless Manufacturing Company in Cleveland.

The Mallard slaying received nation-wide attention after Lyons authorities arrested Amy Mallard in connection with her husband's slaying. She had reported to police that three robed men stopped their car and killed her husband Robert.

When the Mallard woman was released, she ran into the swamps near Lyons and hid. It was at this time that Goldwasser took an interest in the case.

Georgia Lynch Defendant Freed After 2 Jurors Testify for Him

By The United Press

LYONS, Ga., Jan. 11.—A jury took only twenty minutes today to acquit a white man charged with lynching a Negro. Two members of the jury had stepped from the box to the witness chair and testified for the defense.

William Howell, twenty-four, was charged with murder in the lynch-slaying of Robert Mallard, a mortuary supplies salesman. After the acquittal verdict, a murder charge against Roderick Clifton, thirty-two, was dismissed on the state's motion.

The unusual but not unprecedented or illegal spectacle of jurors becoming witnesses marked a speedy one-day trial of a case that had focused countrywide attention on Georgia. Mr. Mallard, who was well-to-do, was slain on Nov. 19. His widow, a witness, said about twenty robed white men stopped the Mallards' car and shot him.

The two jurymen joined defense character witnesses who vouched for the defendant's high reputation and said they would not believe the chief prosecution witness, the widow, even under oath. Mrs. Mallard had dramatically pointed out Mr. Howell as the one man she had recognized among the twenty sheeted white men who killed her husband.

Mr. Howell took the stand and asserted his innocence. Under Georgia law, a defendant is not sworn or cross-examined.

Prosecutor W. H. Lanier urged the jury to decide a crucial question: Was the widow, Amy Mallard, correct when she said Mr. Howell was among the mobsmen who killed her husband?

The closing arguments were sparked by a virulent attack by defense attorney T. Ross Sharpe on the character of Joseph M. Goldwasser, a Cleveland, Ohio, business man, who had intervened on behalf of the widow. Judge R. H. Humphrey rebuked the lawyer and told him to confine his remarks to a review of the evidence.

Mr. Sharpe's maneuvers featured the brief trial. First he handed Mr. Goldwasser a subpoena to be a defense witness and the Cleveland merchant was led to the witness room, where he waited until all the testimony was completed. He was not called. Witnesses are excluded from the courtroom except when they are testifying.

Then Mr. Sharpe called on jurors L. J. Usher and James W. Currie for character evidence. He explained later that this ma[illegible] had been "pulled" on him [illegible] same courtroom twenty-five [illegible] ago "and I've been waiting [illegible] since for a chance to use it." T[illegible] is nothing in the state code aga[illegible] a juryman testifying.

Mr. Usher testified that [illegible] Howell's reputation was "good [illegible] Amy's was pretty bad." Mr. C[illegible] echoed this, and both said [illegible] would not believe the widow [illegible] oath in the present case. [illegible] prosecutor did not challenge [illegible] testimony.

Farmer Gives Alibi

Mr. Sharpe produced an [illegible] for Mr. Howell. Thomas Ban[illegible] young farmer and nieghbor, [illegible] he and his wife spent the night of Nov. 18-19 at the Howell home and so far as he knew Mr. Howell did not leave the house between 8:30 p. m. and 9 a. m.

Another defense witness, Mrs. R. L. Gray, wife of the sheriff, said the widow's young cousin, William Carter, told her Mr. Mallard fired the first shot and "somebody else the other."

Frank Brinson, a farmer, then testified that he reached the body soon after the slaying and helped Mrs. Mallard put it back in the car from which it had fallen after Mr. Mallard had been shot through the windshield. As the widow stooped, Mr. Brinson testified, "A gun fell out on the dirt." In her own testimony, Mrs. Mallard denied that she or her husband had had a gun.

Mrs. Mallard said tha tshe, her thirty-seven-year-old husband and her cousins, William and Angeline Carter, were returning from a picnic given by the school where she taught.

Mr. Mallard was driving his new car, she said. They came upon another car "full of people" parked along the highway. It blinked its lights and followed them until they turned off on a side road, Mrs. Mallard went on. Then a crowd of men walked up in front and "this car came up bumper-to-bumper in back," she said. "The minute we turned in, here's all these people with white outfits on. There was twenty or more of them."

Some of the men came from two other cars she added, and the entire band crowded around the Mallard car.

"It was hands up," she said. "Everybody I saw had a gun."

As she began sobbing Mr. Lanier asked if she recognized any of the men.

"William Spud Howell," she said. "He was on my side of the car."

"Do you see him in the courtroom?" Mr. Lanier asked.

"There he is," she said, pointing to Mr. Howell.

Mr. Howell stared, with his chin on his hand, as he did throughout her testimony. She said she saw Mr. Howell had a gun "and by that time shots were fired."

Courtroom Is Packed

Mrs. Mallard thought she was hit herself, she said, and she leaned over. When she straightened, she said, the mob was gone and her husband was slumped at her side.

She grew hysterical in court at this point in her testimony and shouted "Why did they kill him?" Judge Humphreys declared a brief recess while Mrs. Mallard recov-

Judge Humphreys's charge was confined to point of law in the evidence.

A crowd of 300 packed the unseasonably hot courtroom. About sixty Negroes sat in the balcony.

Mr. Mallard, who came originally from the North, was said to have aroused resentment because of his "superior" attitude, both toward his white neighbors and the Negro sharecroppers of the area. Besides driving a new car, he dressed well and, according to area gossip, would not let a white man get the best of him in an argument.

Juror Testimony Allowed in N. Y. As It Was in Georgia Lynch Case

By Ralph Chapman

Unusual [illegible] have been the calling of two members of a Georgia murder jury as character witnesses for a defendant who was subsequently acquitted was not the result of a quirk in the Georgia law. It could happen here and in many other parts of the United States.

Reports from Lyons, Ga., Tuesday that William L. Howell, a white farmer, had been found not guilty of the murder of Robert Mallard, Negro coffin salesman, after two jurors had testified to Howell's good character sent attorneys scurrying to the law books yesterday. They found that the preponderance of common law, statutory law and judicial opinion in this country is that a juror may be called as a witness, give his testimony and then return to the jury box to help decide the case.

In this state such procedure has the sanction of both the statute and judicial opinion. Section 413 of the New York Code of Criminal Procedure reads as follows:

"If a juror have any personal knowledge, respecting a fact in controversy in a cause, he must declare it in open court during the trial. If, during the retirement of the jury, a juror declare a fact which could be evidence in the cause, as of his own knowledge, the jury must return into court. In either of these cases the juror making the statement must be sworn as a witness and examined in the presence of the parties."

In 1847 the New York Court of Appeals made what is still considered a leading decision on the same subject. In a case known as the People vs. Dohring the court said that "it is settled that a juror may be a witness on a trial before himself and his fellows, first being sworn as a witness besides his oath as a juror."

Investigation shows that the same question has been raised in many other states and in Hawaii and that, lacking a statutory prohibition, rulings have been the same as those in New York. The general eligibility of a juror to act as a witness is vouched for also in "Wigmore on Evidence," considered by attorneys a definitive work on the subject. Local lawyers said yesterday that they "believe" a few states have laws against such procedure, but they could not name the states.

Question a Modern Issue

In medieval England knowledge of the parties in a legal action was a prerequisite to jury service, and the dual role of juror and witness was a common one. The continuance of the legality of such a practice in this country is believed to stem from the fact that in sparsely settled areas it would have been impossible to empanel a jury whose members did not know one or both parties to a case. The idea that such knowledge should disqualify a juror is a comparatively modern one.

Georgia attorneys expressed surprise yesterday that this facet of the Lyons case should have aroused interest all over the country. They said that jurors have served as witnesses in Georgia for more than 100 years and cited opinions of their Supreme Court not only that a juror may testify but also that if he has material information or knowledge he should testify.

The reason that this almost never happens is that prospective jurors are examined under oath as to their knowledge of the parties or of the circumstances of the case. If they have such knowledge they are almost always challenged by one side or the other and disqualified for service. It is not known how carefully the jurors in the Howell case were examined.

"I guess they didn't ask the right questions," suggested Arthur Garfield Hays, general counsel for the American Civil Liberties Union, yesterday.

Mr. Hays pointed to another occurrence in the Georgia trial, which, although appearing unusual, would be perfectly legal here and elsewhere in this country. The two jurymen not only testified favorably concerning the defendant's character but also stated that they would not believe Mrs. Amy Mallard, widow of the victim, under oath. Mrs. Mallard had identified Howell as one of the men in a group that surrounded her husband's car on the night he was shot to death.

The introduction of witnesses to testify concerning their opinion of the truthfulness of other witnesses has legal sanction. It is a maneuver seldom resorted to here but is common practice in Southern states.

Mallard Lynch Trial Sidelights

Negroes Sat in Gallery But Not Without Fear

By ROBERT M. RATCLIFFE

(Courier News Staff)

LYONS, Ga. One of the late arrivals for the Robert Mallard lynch trial was a spotted dog. He trotted into the courtroom, wagged his tail and made himself comfortable directly in front of the judge's bench.

* * *

The sheriff must be a very important man around here. He wore his hat throughout the trial.

* * *

Despite a warning from the judge, several whites cheered, whistled and applauded the "not guilty" verdict. The judge spotted one brother and fined him $5.

* * *

Negro spectators sat in the gallery. Only a few attended the morning session of the trial because news got around town that Negroes would not be admitted to the courtroom. During the afternoon session of the trial, the colored gallery was packed with Negroes and whites.

* * *

Mrs. Mallard was hatless. She wore a green coat over a blue dress. She was not surprised at the verdict.

The Mallard family and Mr. Mallard's sister, Mrs. Portia Mallard-Walker, Jacksonville (Fla.) school teacher, brought fried chicken to Lyons and ate it during the noon recess in a nearby colored cafe.

* * *

Associated Press, United Press, Time and Life magazines and the New York Daily News Television and Newsreel covered the trial.

* * *

Negroes who were brave enough to attend the trial could feel FEAR as they moved about the courthouse lawn. Only the "Uncle Toms," holding their hats in their hands, bothered to talk with any of the local whites.

* * *

Crowds of whites followed Joseph Goldswasser of Cleveland, Ohio, as he paraded over the courthouse lawn with Mrs. Mallard and her relatives. Tension mounted after the verdict was read, and before anyone realized it, Goldwasser had been taken from the courtroom by GBI officers and returned to Savannah.

* * *

Mrs. Mallard did very little talking after the trial. Interviewed in a restaurant in Savannah Tuesday night, she said she hadn't made any plans for the future. She said she may sell the Mallard farm in Lyons. Asked if she would resume her teaching profession, she said she didn't know.

A Real Missionary

Chicago Defender

A Jewish merchant from Cleveland, Joseph M. Goldwasser, has upset the customs and folkways of Georgia. He was outraged by the account of the lynching of Robert Mallard in Georgia and he decided to do something about it himself. He went down to Lyons, Georgia, and offered his services to the widow of the lynch victim and demanded that the lynchers be brought to justice.

Last week he accompanied Mrs. Mallard to the trial with her child in his arms. His plans to intervene in the trial, however, were circumvented by the crafty Georgians who subpoenaed him as a witness and kept him cooling his heels in the witness room while the court proceeded to whitewash the defendants.

Last week the Georgia legislature sought to ridicule the efforts of Mr. Goldwasser. It seems a member of the Georgia Assembly presented a resolution praising him for his "good neighbor policy" and thereupon the Assembly voted unanimously to refer the resolution to the "drainage committee" from which no bills are reported out for action.

This mockery of the democratic spirit of Mr. Goldwasser was a very great joke to the white supremacists of Georgia. It is a great pity indeed that these Georgians cannot see themselves as others see them. These Dixiecrats have made asses of themselves and by applauding the shameful action of the Lyons court they have won the contempt of all civilized Americans. Mr. Goldwasser deserves the praise and tribute of all citizens who value human decency and honestly believe in the principles of our democracy.

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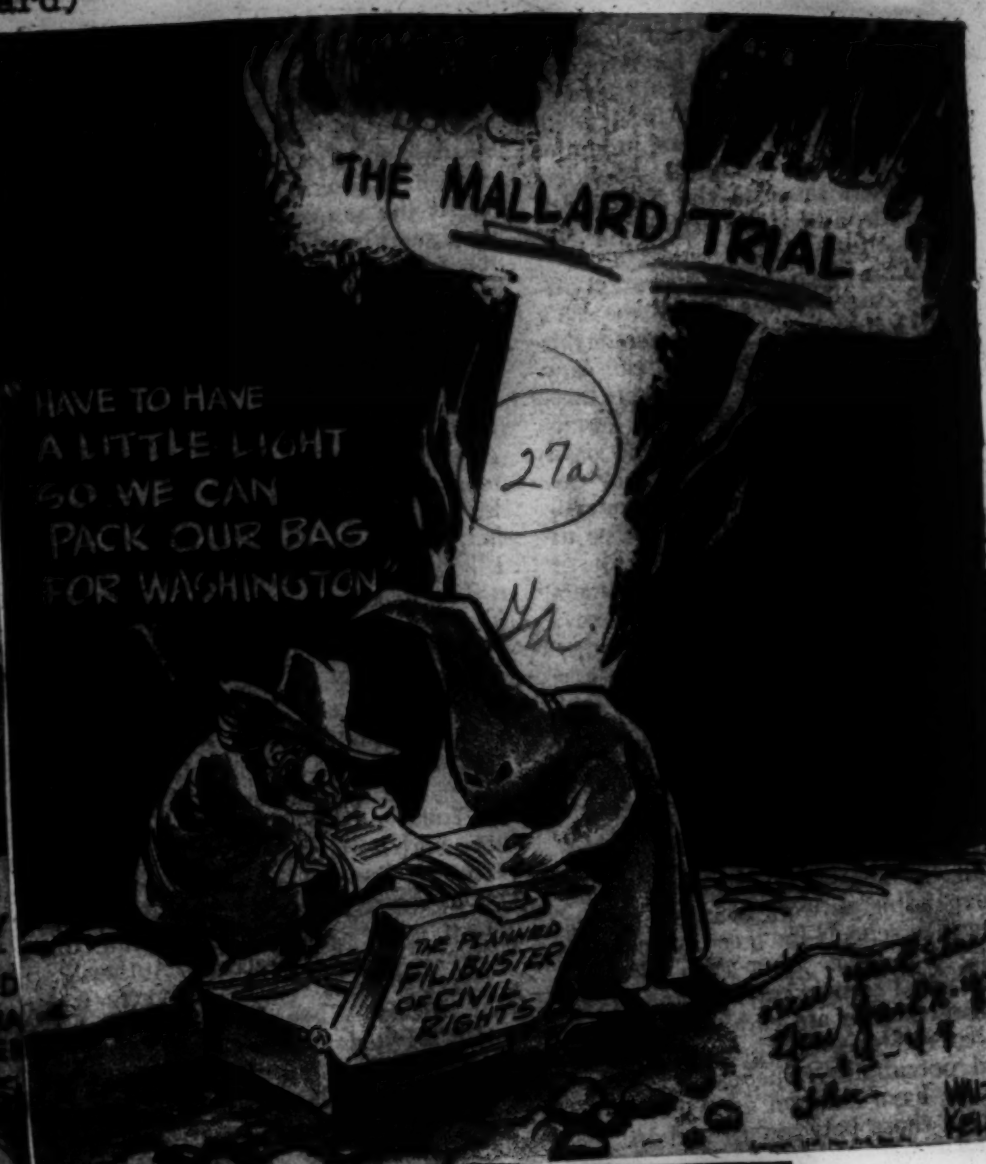


GEORGIA

Justice in Toombs County

By last week, Amy Mallard was probably as unpopular in Toombs County, Ga. as her husband Robert ("Big Duck") Mallard had been before he was lynched. The lynching had caused a lot of trouble and almost everyone thought that was Amy's fault. Big Duck had been a real uppity nigger—some said he even wanted to be called mister—and most of Toombs County thought he'd gotten just what he deserved.

But Amy Mallard had put up an awful fuss. Even after the Georgia Bureau of Investigation had charged her with the murder herself she wouldn't shut up. They let her out of jail after a few hours, and what did Amy do? She ran off and hid in Savannah and said she was scared and got her name in the papers.

Then a man named Joseph Goldwasser, who owns a department store in a Negro district in Cleveland, offered to help her. Between them and some other folks they got two Toombs County white men indicted for the murder. But last week at the trial, which was attended by 300 Toombs Countians, they found out that

It isn't so easy to get away with things like that in Georgia.

Men With White Stuff. It was a nice, orderly trial. There was a little stir when people saw Goldwasser come in—him a white man—holding Amy's arm, and carrying Amy's baby. One farmer couldn't help saying out loud: "Don't that make you sick?" But it was sort of comical too. The defense made Goldwasser a witness; this enabled them to send him outside the courtroom as soon as the trial started.

It only took 20 minutes to pick the jury for the trial of the first defendant, a 22-year-old tenant farmer named William ("Spud") Howell. Then Amy was put on the stand. She told how she and Big Duck and their baby and two cousins were on their way home in their car at night and how a gang of men "with white stuff on them" and "pistol guns" had stopped their car, and shot Robert Mallard dead.

Her attorney asked if she had recognized anyone. "Yes," she said, "William Spud Howell." Spud just smiled. But when Amy told how Big Duck got shot she went to pieces. She yelled, "Oh Lawdy, Oh murder. They killed him." She got down on her knees, screamed, "I see 'em. I see 'em. Oh Lord—why did they murder him?" A lot of people in the audience couldn't help laughing.

Clean Graveyards. But the neatest trick of the trial came when Howell's attorney, T. Ross Sharpe, called two of the jurors down out of the box to be witnesses. Though both had sworn they were "impartial" before being seated on the jury, they each said they considered Amy's reputation "bad" and would not believe what she said, even under oath.

Said Lawyer Sharpe happily during a recess: "That's perfectly legal. It was pulled on me, 25 years ago, and I've been waiting to use it ever since." And it was legal—under the law in Georgia (and many other states), any juror can testify.

After that there was some good oratory. Cried Sharpe: "There are no finer people than those in [Howell's district]. Why, there's a church every three miles and they all keep their graveyards clean." He told off Goldwasser. "That roaring lion from Judea is a disgrace to the Jewish race. He wouldn't even make catfish bait in the Altamaha River!"

That just about did it. The jury went out, came back in 26 minutes and pronounced Howell not guilty. The prosecution decided not to press charges against the second defendant, a farmer named Roderick Clifton.

Lyons Quiet After 'Mock Lynch Trial'

MARION E. JACKSON

LYONS, Ga.—(SNS)—Quiet and calm [redacted] in Toombs County following the trial and acquittal of William L. (Spud) Howell [redacted] Tuesday in connection with the [illegible] of Robert E. Mallard.

Yet, a hysterical question asked by the agonized widow remained unanswered. Mrs. Mallard had screamed: "Why did they kill him?"

If anyone knew the answer, they failed to [illegible] and the [illegible] of Mallard's death goes into the mystery files, for even a jury of farmers and businessmen, who deliberated only 20 minutes, seemed hesitant about probing what happened on a lonely, wooded country road last November 19, when Mallard was shot to death.

BRAZEN SHOW

Citizens of Toombs County put on a hilarious demonstration following the acquittal. In a brazen show, the spectators cheered, clapped [illegible] Judge Robert H. Humphrey [illegible] the verdict.

Perhaps the most hated man at the trial was Joseph M. Goldwasser, a Cleveland businessman and an official of the National Association for the Advancement of Colored People. Goldwasser was the target of a devastating and withering personal attack by Defense Attorney T. Ross Sharpe and Solicitor-General W. H. Lanier.

Goldwasser was termed "a disgrace to the Jewish race and an insult to the Negro race," by Atty. Sharpe. So virulent was the lawyer's attack upon Goldwasser that Judge Humpherey intervened and insisted that remarks be confined to the case.

DRAMATIC MOVEMENT

The most dramatic feature of the case came when Mrs. Amy James Mallard mounted the witness stand. Dressed in black, with her sharp features drawn in bold relief by suffering and anxiety, Mrs. Mallard reviewed the events that led up to her husband's death.

She was the first prosecution witness and as the questioning proceeded her anger mounted until she collapsed, screaming hysterically. Writhing unabashedly on the floor, Mrs. Mallard recoiled even in her bewilderment against the murderers of her husband by repeating insistently and incessantly "Why did they kill him? Why did they kill him . . .?

Judge Humphrey quickly recessed the court to permit Mrs. Mallard to regain her composure. She had been in the witness chair at this point about 17 minutes.

ROUGH TREATMENT

Joseph M. Goldwasser got rough treatment from spectators and defense attorneys. He was termed by many a "dangerous carpet-bagger from the North." The Ohioan had told that he entered the case in the interest of justice. He said that he had received thousands of death threats, but he had been crusading for 21 years.

Goldwasser was the butt of many salacious and smutty jokes. He was alternatingly termed a "N— lover," a "do-gooder," and a "carpet-bagger." Some whites linked him in a romantic fashion with Mrs. Mallard.

Atty. Sharpe, momentarily forgetting Judge Humphrey's warning, said Goldwasser "wouldn't even make good catfish bait down on the Altamaha river."

Earlier Goldwasser had been sworn in as a defense witness but showed no inclination to leave the courtroom. He was finally ordered by Defense Attorney T. Ross Sharpe. Then he spent his time in the anteroom, completely ignored, without being called to testify.

[illegible] charged in New York that the arrest, indictment and trial of the men were "perfunctory motions" for the sole purpose of avoiding federal action.

The NAACP said that the trial proved the need of a federal anti-lynching law.

CARNIVAL AIR

A carnival-like atmosphere prevailed at the trial. An enterprising businessman set up a medicine show on the lawn, where he proceeded to sell a patent medicine, while showing off a live alligator.

Hawksters peddled drinks and food. A large crowd that overflowed the corridors and halls added to the festive-like setting of the trial and curious onlookers chatted, laughed and discussed the case with abandon.

So dense was the crowd that newsmen, officials and photographers had to virtually fight their way into the courtroom.

In addition to the collapse of Mrs. Mallard during her testimony, two other highlights dominated the trial. One was when the defense objected to a motion to nolle pross the murder charge against Clifton. Atty. T. Ross Sharpe protested and said he preferred to have his client acquitted by a jury.

The other top surprise was the calling of two jurors as character witnesses. Judge Robert M. Humphrey said that although the procedure is legal, he could recall only two times that such a device has been used in the last 25 years.

NO VISIBLE REACTION

Mrs. Mallard showed no visible reaction after the acquittal of Howell. Her face was an immobile mask that carried traces of acute suffering, grief and anxiety. Accompanied by William (Tim) Carter and his sister Angelina Carter, she entered the 1948 Kaiser automobile in which her husband met his death for the journey back to Savannah.

Jubilation was rampant in Lyons following the acquittal. Local businessmen, farmers and citizens gleefully slapped each other over the back. There was loud laughter and conversation waxed exubeerantly.

Whether or not the case would be tried under a civil rights statute remained in doubt. Solicitor W. H. Lanier pointed out before the trial began that all he had to go on was the testimony of Mrs. Mallard. The two other witnesses, William and Angelina Carter, said they huddled on the floor and did not recognize anyone as being at the scene of the lynching.

Mallard Lynch Trial Shows Lynch Law Need

NAACP Counsel Gives Opinion After Inaction

MARION E. JACKSON

LYONS, Ga.—(SNS)—There was still a ch[redacted] Roderick Clifton and William L. (Spud) Howell may face Federal action in connection with the lynch-murder of Robert E. Mallard.

[redacted] opinion was circulated after Thurgood Marshall, special counsel for the NAACP said the trial "demonstrates the incapacity of local authorities to deal with the crime of lynching."

NAACP Sponsors Countrywide Jaunt To Air Ga. 'Justice'

(Special to The Pittsburgh Courier)

NEW YORK—Mrs. Amy Mallard, widow of the Georgia lynch victim, Robert Mallard, will make an extensive tour of the country under the auspices of the NAACP for the purpose of telling first-hand the tragic story of her husband's murder and of the farce made of justice in the trial of Robert Howell, one of the men accused of the crime.

Beginning her tour of NAACP branches with an appearance in Washington on Feb. 6, Mrs. Mallard will visit a number of cities in the New York-New Jersey area before going to Baltimore on [Feb.] 27. She will continue in March and April through cities in New England, the Midwest and other sections of the country.

CLEVELANDER ON TOUR

Joseph Goldwasser, Cleveland businessman who went to Georgia to assist Mrs. Mallard and to witness Howell's trial, will appear with Mrs. Mallard in some of the larger cities.

The NAACP has been foremost among the groups and individuals pointing out the farce of "Georgia justice" as it applied in the Mallard case, where two of the jurors stepped out of the jury box to testify as to the good character of the defendant and to declare that they would not believe the testimony of the slain man's widow, even though she testified under oath.

GRAPHIC EXAMPLE

The defendant Howell's speedy acquittal is cited by the NAACP as a demonstration of the need for Federal legislation against lynching and as a graphic example of the blatant racial discrimination and injustice which still exist in law enforcement in Georgia and other Southern States.

7843

Delays Mark Southern Stand On Civil Rights

By a Special Correspondent of The Christian Science Monitor

Atlanta, Ga.

Amid all the growing concern in many parts of the South for the Negro's rights, another lynching or apparent lynching has occurred in Georgia, the state in which about all the South's lynchings in postwar years have occurred.

Georgia church groups, newspapers, and other forces wage relentless war on racial violence, but it should be remembered that in no other state of the South has the banner of white supremacy been waived so conspicuously as in Georgia in recent years and Georgia is the center of Ku Klux activity in the South.

The latest racial incident—the killing of a Negro, Calif Hill, Jr., at Irwinton, Ga., is the first resembling a lynching that has been recorded this year. Georgia was credited by Tuskegee Institute with both of last year's lynchings and also a border case.

Georgia Involved

While lynchings virtually have disappeared elsewhere in the South, the series of postwar lynchings in Georgia started in the summer of 1946 when white men in Walton County lynched two young Negroes and their wives.

In the current case the Negro at Irwinton was taken from a jail cell in the sheriff's residence, shot, beaten, and killed. He had been arrested for a disturbance at a Negro roadhouse. The sheriff said the Negro had a "bad reputation" and had been arrested a number of times before.

Two unmasked white men slipped into the jail and seized Mr. Hill. Sheriff's officers and others expressed the belief the two white men had accomplices waiting outside.

The latest Georgia lynching comes at a time when the South is making great progress along all lines. It is growing economically, and there is a growing concern for the Negro's rights in many quarters. Yet—and the Georgia county unit system is cited as an example—the region is making much progress governmentally.

There are many who believe that unless the South does move forward governmentally as well as economically, its rate of general progress will be retarded.

Rural Influence

Despite growing industrialization and increasing per capita wealth, the South essentially is still a rural area. The rural influence dominates in southern government.

Because of Georgia's archaic county unit system, the state's many small counties dominate the state's government. Georgians will vote next year on extending the county unit system to general elections. The system now applies only to Democratic primaries.

The Democratic primary is the only meaningful election at present in Georgia, but because of Negro suffrage and other factors the general election is becoming potentially important. Most of Georgia's Negro vote is centered in the large urban centers.

Georgia's new registration law, passed by the Talmadge-dominated Legislature this year, is intended to restrict Negro suffrage. Negro leaders have served notice that the new law will be challenged in the federal courts.

School Crisis

The state currently is faced with a grave school crisis. The people in a referendum this summer refused to authorize the Legislature to enact new taxes to finance an expanded school program. The Legislature took no stand and merely referred the question to the voters.

Georgia pays a four-year college trained teacher $1,690 a year, while just across the line in Florida the same teacher gets $2,500.

This over-representation in government of the rural or farm areas is largely the result of apportionment of representatives which has not been changed in many years although revision usually is required after each census.

Alabama might be cited as an example. The unequal representation was established at a time when the south central part of the state was dominant economically and politically and the big plantation owners were the unchallenged aristocracy.

The Southern Regional Council, in a recent analysis of Alabama's governmental setup, points out this pattern of over-representation was continued early in this century as a defense of white supremacy and as a protection of the planters' interests in the face of expanding industrial centers.

This situation is made doubly noticeable by the fact that since the last census there has been a heavy migration from farms to cities in the changing South as the farms become mechanized and new industry has moved into the region.

Mallard Home Burned by Georgia Klansmen

LYONS, Ga. — (ANP) — According to information received here last week, the home of Mrs. Amy J. Mallard, widow of the lynch mob victim, Robert Mallard, was burned to the ground by Ku Klux Klansmen last July 4, but farmers in the Altamaha river section have just decided to tell it.

Mrs. Mallard, who now lives in New York City, where her daughter, Doris Byron, is a student at New York University, learned that her house had been destroyed by fire three months ago. Mallard, a prosperous salesman, was murdered near his farm house last November.

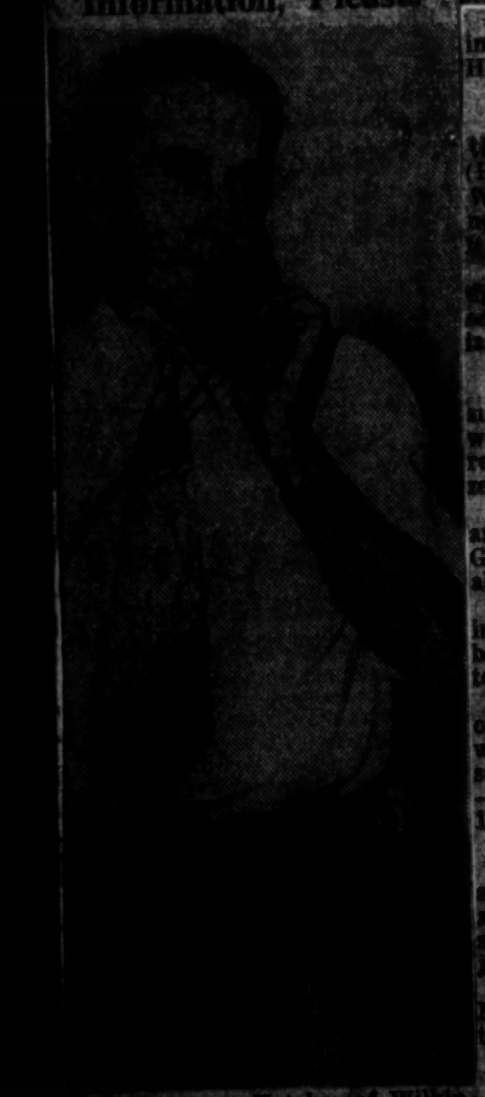
7844

Grocer, Electrician Jailed As Lynchers

Motive Missing in Brutal Slaying of Chalk Miner, 28, in Georgia

IRWINTON, Ga.—Two white business men were taken into custody at McIntyre on suspicion of murder in the lynching of Calif (Pinky Pie) Hill Jr. on Memorial Day, Lt. M. H. Spalding of the Georgia Bureau of Investigation announced Saturday night.

The suspects were identified as Dennis Lamar Purvis, 37, operator of a cafeteria and grocery, and Malcolm Vivian Pierce, 17, an electrician, both of McIntyre, a community not far from here.



Sheriff George Hatcher of Wilkinson County, Ga., who is kept busy [illegible] days answering long-distance [illegible] calls on the lynching of [illegible]

They were placed in jail here in custody of Sheriff George Hatcher.

No Motive Found

No motive has been found for the wanton lynching of Calif (Pinky Pie) Hill Jr., 28-year-old Wilkinson county chalk miner near Irwinton on Memorial Day. It was the first for 1949.

An on-the-spot investigation of the lynching, however, revealed several reports which are at variance with previous ones.

Disliked by Whites

The victim had long been the subject of ill feeling by some white people in the community, a reporter was told by several citizens who knew Hill.

Only a month previously, he had an argument with two white men, Grover Lavender and Fred Bruer, almost coming to blows.

He left the county and stayed in Macon for two weeks. He had been home only two weeks prior to his tragic death.

Hill's sister, Mrs. Earl Austin of NYC, who came here after he was killed, said her brother had some enemies—white and colored—who didn't like his owning a 1946 automobile.

Mayor Warned Family

Hill's family said after he had stayed out all night, two sisters and a brother went to Irwinton to see if they could get him out of jail.

At 7:30 a.m., they were told by Mayor Erwin Everette "to get off the streets and go home."

Janitor's Message

He gave no further explanation and they went home without going to the jail.

The colored janitor of the jail, John Payne, overtook them, they said, and told them: "The white folks said May out of town today."

At 9:30 a.m., the sheriff accompanied a truck which brought Hill's body to the house where it lay until 12:30 p.m., when the mortician from Toombsboro arrived for it.

Keys Handy for Mob

Hill was arrested the night of May 29 for creating a disturbance at a roadhouse and charged with shooting at Sheriff George Hatcher there.

While the sheriff was away, allegedly looking for his "lost" gun, a mob invaded the jail located on the second floor of his home, "found" the keys to the cells on his dining room table downstairs, took the prisoner out, then shot and beat him to death.

Funeral rites for Hill, who is survived by his wife, four children, the youngest, Josie, 6 months old, a crippled invalid father, and a sister, Mrs. Earl Austin, NYC, were held Sunday in Jeffersonville at Bald C.M.E. Church. The Rev. D. T. Pitts officiated.

Four Developments

There were four swift developments in the case on May 31:

1. Judge George Carpenter of Milledgeville announced he has summoned a special session of the Wilkinson county grand jury for June 14 to investigate the lynching.

2. The same day the Georgia Bureau of Investigation joined the hunt for the lynchers.

3. Simultaneously, the Federal Bureau of Investigation here disclosed that it was making reports on the case to the Department of Justice in Washington.

Bullets Turned Over

4. At the autopsy, the bullets were turned over to the sheriff who said he would send them to the Georgia Bureau of Investigation here for ballistics tests.

Previously he had told reporters he saw "no need" in even holding an autopsy.

Justice Department Alert

Two agents of the Georgia Bureau of Investigation were sent to Irwinton at the request of Sheriff Hatcher who told a fantastic story of events surrounding the lynching.

The sheriff said there were still no clues to the identity of the lynchers.

In Washington, the Justice Department announced that it has the case "under active study" and will determine whether existing Federal civil rights law was violated.

Agents of the Federal and State bureaus of investigation looked for fingerprints, automobile tracks and persons in the neighborhood who may have heard the noise of gunfire during the night of the lynching.

Sheriff's Strange Story

Sheriff Hatcher said he was away from home when the mob removed Hill from the jail.

He explained he was out hunting for his gun, which he claimed he lost while arresting Hill at the roadhouse, and did not learn of the lynching until morning.

Coroner's Report

Coroner C. C. Thompson, who held an inquest late on Memorial Day, returned a verdict that Hill "met death from gunshot wounds, having been shot through the head by hands unknown."

He had been shot twice, once in the head and once in the left shoulder.

Hill's body was found early on the morning of Memorial Day at the side of a highway about three miles from Irwinton, near an unincorporated community called "Sandy Creek."

Cell Mate Scared

Tom Carswell, a colored prisoner who shared the same cell with Hill, testified at the inquest that two white men entered the cell, ignored him, and told Hill simply, "Come on, Picky Pie."

He said Hill walked out without resisting or making any plea. Carswell asserted he did not know whether there were any others in the lynching party waiting outside.

He Values His Life

When Carswell said the two white men made no effort to conceal their features, Coroner Thompson asked him:

"You probably couldn't identify them if you saw them again, could you?"

"No, sir," Carswell replied.

Although it was not brought out at the inquest, the coroner told a reporter that car tracks near where the body was found indicated that the car which took Hill to his death had turned around there and come back to Irwinton.

Roadhouse Tussle

The sheriff testified that:

"I went into the place (the roadhouse) and found out that Hill had hit somebody. I tried to arrest him but he tussled with me when I brought out my handcuffs.

"Somehow my gun got knocked to the floor and before could get to it Hill picked it up and shot at me."

He said the bullet whizzed by him harmlessly and he promptly grappled with Hill. The gun dropped to the floor again and was missing by the time he had Hill overpowered.

The Disappearing Gun

"There I was without my gun," the sheriff said. "I had a good idea where it had gone because I saw a young colored man run out of the place.

"I asked to borrow a gun and finally a colored man loaned me his. I used this gun to take Hill to jail."

The Open Jail

"Who was in charge of the jail when you left?" Sheriff Hatcher was asked by an interviewer.

"My wife was at home but she was asleep," he replied. "We don't have any night jailer in Wilkinson county. The sheriff is just about the whole business."

The sheriff said he did not lock the front door of his home when he left because he wanted to be able to get back in without disturbing his wife.

Lock Worn Out

"The lock is just about worn out," he explained. "If I lock it, it sticks and can only be opened from the inside.

"I was afraid I couldn't wake up my wife. She sleeps pretty sound."

Rumor Blamed

"They (the lynchers) just walked in and found my keys and went up and got the prisoner. I never expected anything like that. "The trouble was a report had got around that Hill had killed me.

"The men were pretty riled up and when they didn't find me at home they thought maybe I was dead."

Gun Tale Climax

Several hours after the lynching the sheriff returned to his home triumphantly bearing his gun.

He declared:

"You see I found a colored man who admitted he knew where the gun was. He said he didn't take it himself but could get it for me, if I would promise not to arrest him.

"We made a deal and he got me the gun. I had to let him go because I had promised to."

Sheriff Hatcher said his wife was asleep when he returned and he neither disturbed her nor took a look at his jail quarters upstairs.

"I went to bed, and for a long time I just couldn't get to sleep," he said. "I had had a narrow escape and I was nervous. I lay there for hours and didn't fall asleep until about 5 o'clock.

"Then about 7:30 a.m., a man came by and woke me up and told me there was a dead colored man along the road a piece.

"I thought could it be they'd come and got my prisoner? I ran upstairs, and sure enough Hill was gone."

The sheriff said his wife told him she was awakened by the mob but did not recognize them.

She went back to sleep after they took Hill away and did not awake on Hatcher's return to report the matter.

Why Was Victim Not Afraid of Lynch Mob?

IRWINTON, Ga. — (NNPA) — Street corner discussion of Georgia's [illegible] here over the kidnaping and lynching of Caleb (Picky Pie) Hill, 28, on May 29, includes speculation over reasons for the victim's apparent lack of fear or reluctance to accompany the [illegible]

Wife, 3 Small Children Survive Lynched Man

[illegible] young to know what it is all about, the the three children of Calil "Picky Pie" Hill are shown with their widowed mother, Mrs. Josie Hill, 28, in Irwinton, Ga. A couple of white men took their father from a jail in Irwinton, Ga., and lynched him. The youngsters are George Edward, 5, Josie Lee, 2 months, and James, 9.

Ga. Lynching Denounced by Press Seen as Argument for Federal Law

Exchange of Arnall for Talmadge Blamed; Violence Uncalled for, Atlanta Papers Say

By NNPA

The callous lynching of Caleb (Pickle Pie) Hill, who was taken from an Irvington (Ga.) jail by a mob, was generally denounced last week by the press of the nation. Some of the papers' comments are given in part below.

NEW YORK HERALD TRIBUNE: under caption, "Another Georgia Disgrace." The fact that [illegible] of Hill is "one more argument for Federal laws to protect the individual against what Justice Jackson recently called 'the mindlessness of a mob.'

"The fact is encouraging that lynchings in this country have been decreasing. This is the first of 1942; last year there were two; in 1947 there was one—compared with twenty in 1935, fifteen in 1934, and so on back to 115 in 1900.

"But one lynching is one too many; and so long as the spirit that permits lynching lives on anywhere in American society, just so long will there sound a false note in our justly vaunted ring of freedom."

Called "America's Shame"

THE PHILADELPHIA INQUIRER: "The sequel was one shamefully familiar in Georgia, home of the Ku Klux Klan, the Columbians and other hate groups. The cell door was unlocked, the defenseless human being inside was carted off by armed men, and his mangled body was left in the swamp.

"The latest race-murder is America's shame. This display of inhumanity affects us all. If ever this nation is to fulfill its destiny, if it is to take its rightful place in world leadership, it must divest itself of the barbarism of racial and religious intolerance, of which lynching is the final expression."

"A Step Backward," Says Sun

THE BALTIMORE SUN: "It is nonsense to say that such infamous acts cannot be prevented. They can be if the respected men of the community set themselves firmly against the evil. They can be if the law is brought ruthlessly to bear on would-be perpetrators.

"Georgia takes a step backward. Nor need we be surprised. For Georgia not long ago chose to trade an upright governor (Mr. Ellis Arnall) for a demagogue and the son of a demagogue, Herman Talmadge.

"The election of Herman Talmadge was an evil portent. The election of Herman Talmadge was a green light for those very elements in Georgia's population which have been responsible for its shameful record."

"Inexcusable and Uncalled For"

THE ATLANTA CONSTITUTION: "Georgia again is being presented to the nation — and published in Russian newspapers — as a State where a young colored man, arrested for drunkenness and for allegedly trying to shoot the sheriff with the sheriff's own gun, snatched in the scuffle at arrest, was taken from the Wilkinson County jail by a group of men and killed.

"Here was a case where the guilty man was in jail. A Wilkinson County grand jury and a trial jury were available to act. Yet the mob apparently had no faith in its own juries or jury system. Such violence is inexcusable and uncalled for. Such actions, brutally defiant of the laws of our State, move us closer to Federal laws."

THE ATLANTA JOURNAL: "This crime will shock the moral sense of the good people of Georgia. It will prove invaluable ammunition to the political baiters of Georgia and the South."

at the point of disappearance makes the Georgia occurrence all the more shocking.

"A ragtail version of the Ku Klux Klan has again come to life. A new and more subtle Talmadge is Governor, and a disturbing pattern of racial violence is developing.

"Denial of Equal Protection"

"Elsewhere the colored man is gaining the vote, and making himself heard. The white primary has been abolished, thanks to the courts; the poll tax is generally fading; colored persons are being elected to city councils, boards of education and so on.

"But in Georgia the right to the ballot is being contracted, not expanded. . . In practical operation, the scheme effectively discourages the colored man and the Talmadge organization makes no bones about it.

"The affair in the Irwington jail was unspeakably crude by comparison, but equally callous. Both are the denial of equal protection. Whether by bullet or

GEORGIA, AT IT AGAIN

Lynching of Negroes is still no crime according to the "white supremacy" law down in Georgia.

In some sections of the state, where ignorance, superstition and gullibility are rife among the whites, lynching of Negroes is [illegible]

Like in the case of the lynching of Caleb Hill at Irwinton, Georgia a few days ago, where the Sheriff turns over his jail keys to the mob-leaders and leaves home.

Of course, nothing will be done toward punishing the perpetrators of the "crime" in our language, (but sport pastime) in the language of Ku Klux Klan because it's a good bet, that the Sheriff is one of the chief Kluxers.

Everybody knows that Georgia is a lawless state so far as the rights of colored people are concerned.

Little "Gene" Talmage, the present Governor of the "Peach Tree State" is called the Klan's Governor and as such, all acts of violence committed against colored people in the state in the name of "white supremacy" are supposed to be forgiven the perpetrators.

Surely the Government of the United States owes to its citizens the equal protection of the law regardless of race or color.

At what [illegible] going on in the Congress of the United States, over an anti-lynching bill which would offer protection to life and limb to Negroes in the South, we reminded of the story, "Nero Fiddles While Rome Burns" and, "Congress plays while lynching goes merrily [illegible] has laid down the challenge to Uncle Sam to do about lynching in her state. Uncle "Sammy" won't [illegible] this challenge?—We hope so.

Another Georgia Disgrace

Georgia is again in disgrace. The flagrant incident at Irwinton, where a Negro was taken out of jail and shot to death, is only too familiar in detail. The fact that the crime of lynching is almost at the point of disappearance makes the Georgia occurrence all the more shocking. Last year there were, by Tuskegee Institute's statistics, only two lynchings in the entire country. Both, significantly enough, were in Georgia, where white supremacy is a deliberate rallying cry for political advancement. This is the state where a ragtail version of the Ku-Klux Klan has again come to life, a new and more subtle Talmadge is Governor, and a disturbing pattern of racial violence is developing. It is a state of violent contrasts. The prejudices of the forks of the creek account for lynchings, although Atlanta refused to be upset by the professional appearance of Jackie Robinson and more recently forbade parades by masked nightshirts. But the recent monopoly on lynchings is the focal point.

The Talmadge brand of progress, for all its intelligent efforts to make Georgia a better state, is devoted to white supremacy. Governor Herman Talmadge was elected on that platform, and he has moved fast and shrewdly toward establishing a political dynasty on this reprehensible basis. Elsewhere the Negro is gaining the vote, and making himself heard. The white primary has been abolished, thanks to the courts; the poll tax is generally fading; Negroes are being elected to city councils, boards of education and so on. But in Georgia the right to the ballot is being contracted, not expanded. By eliminating the voters' lists and requiring all to register anew, most of the 120,000 Negro voters will be dropped somewhere along the line. The prospective voter is being required to read the Constitution "intelligibly," write it "legibly," or else respond satisfactorily to a statutory list of questions on government. In practical operation, the scheme effectively discourages the Negro, and the Talmadge organization makes no bones about it.

The affair in the Irwinton jail was unspeakably crude by comparison, but equally callous. Both are the denial of equal protection. Whether by bullet or statute, the repressive effect is the same. One encourages the other; the coincidence is inevitable. Georgia has gone backward.

Act on Georgia Lynching, CRC Asks Truman

The Civil Rights Congress (CRC) yesterday wired President Truman demanding that he take immediate action on the lynching of Calif Hill, a 28-year-old Negro, in Irwinton, Ga.

"Federal legislation and action against anti-Negro terror urgent, particularly in Georgia," said the CRC wire to Truman. "Constitutional guarantees of protection of life and property are inoperative in Georgia.

"This lynching is a grim reminder of the need for federal action against the annulment of the Constitution. Demand you order the Department of Justice, under power of the federal Civil Rights Law, to investigate and prosecute the guilty. Demand you give full speed ahead to civil rights legislation."

The People's Lobby, sponsors of the June 8 demonstration in Washington for fulfillment of President Truman's campaign promises, declared yesterday that the Georgia lynching was renewed proof of the urgency of an anti-lynching law. Paul Ross announced for the steering committee that the entire lobby would be asked to unite around demands for immediate anti-lynching legislation.

THE NEW HARLEM CLUB—Scene of the scuffle between lynch victim Rod Williamson County sheriff George C. Hatcher. Several witnesses told the WORLD that only "10 or 15" Negroes were present at the time and not "100 Negroes" as Sheriff Hatcher told the press. The daughter of the proprietor of the juke joint is shown in the doorway. The club is located two miles outside of McIntyre. Ga.

Mayor's Advice To Family Held As Significant

Hill's Relatives Say They Were Told To Get Off Streets

BY C. W. GREENLEA

An on-the-spot investigation of the lynching of 28 year-old Caleb "Picky Pie" Hill, Jr., Wilkinson County chalk miner, revealed several reports which are at variance with previous reports.

Hill, who leaves a widow and three children, the youngest two months old, had long been the subject of ill feeling by some white people in the community, a World reporter was told by several citizens who knew Hill.

Only one month ago Hill had an argument with two white men, Oliver Lavender and Fred Bruer, almost coming to blows. He left the county and stayed in Macon for two weeks. He had been home only two weeks prior to his tragic death.

ONLY 15 PRESENT

Contrary to previous reports attributed to the sheriff, George C. Hatcher, that "about 100 Negroes were crowded around and none offered to aid me," the Atlanta World learned from those who were present that only about fifteen persons were in the Club when the tussle between Sheriff Hatcher and Hill took place.

Reporters from the Macon News questioned Hill's cellmate, Tom Carswell, in the presence of Sheriff Hatcher, asking him if he could identify Hill's abductors, the coroner, C. C. Thompson spoke up: "You probably couldn't identify them, could you? The man said "No sir." 6-2-49

At the autopsy Tuesday the bullets were turned over to Sheriff Hatcher who said he would send them to the CBI in Atlanta for ballistics tests. Previously the sheriff had told reporters he saw "no need" in even holding an autopsy but later had changed his mind.

After locking Hill in jail the sheriff said he got some Georgia State Patrolmen and "went out to find my gun". Later he returned to his home located on the ground floor of the jailhouse, and went to bed without checking to see whether his prisoner was safe. He knew nothing of the lynching, he said, until he was informed about the body about 8:30 a. m. Monday morning.

The man's family declared that early Monday morning, after Hill had stayed out all night, two sisters and a brother went to Irwinton to see if they could get him out of jail. At 7:30 a. m., they said, they were told by Mayor Erwin Everette of Irwinton, to "get off the streets at that time." He gave no further explanation and they went home. [illegible] the jail. The Negro jailor of the jail, John Payne, over-took them, they said, and told them "the white folks said stay out of town today."

At 9:30 a. m. the sheriff accompanied a truck that brought Hill's body to the house where it lay until 12:30 p. m. until the mortician from Toomsboro arrived for [illegible]. Funeral services will be held Sunday at 3 P. M. at the Bald C. M. E. Church in Jeffersonville, with the Rev. D. T. Pitts, officiating. Hill had requested long before his death that he wanted Rev. Pitts to preach his funeral.

Says Sheriff Negligent in Hill Lynching

Protests over the lynching of Caleb Hill, of Irwinton, Ga., have been made to Governor Talmadge and President Truman by the Peoples Progressive [illegible] of Georgia, Jim Bertoot, state director.

The protest to the Governor points out: "It is clear that the sheriff did not properly protect Caleb Hill. Because of the sheriff's negligence and incompetence we ask that you use your influence to obtain his dismissal."

President Truman was petitioned: "The brutal lynching of Caleb Hill is the most recent of a series of terror and violence in Georgia. These acts [illegible] condition of lawlessness which local authorities are unwilling or unable to control. We therefore call upon you immediately to provide protection for American citizens in Georgia, even if it means declaring martial law in Wilkinson County. What is taking place in Georgia is further proof of the need for Civil Rights legislation. We urge you to keep Congress in session until such legislation is passed."

LYNCH VICTIM'S FAMILY—Family of 28-year-old Caleb "Picky Pie" Hill of McIntyre, Ga. in Wilkinson County. The man who was lynched early Monday morning "by parties unknown," [illegible] five sisters, [illegible] and his aged father, as well as his wife and four children. He was the "backbone of the family" they said. His wife Mrs. Josie Hill, is seated on the porch at extreme right.

Murderers Who Claim They Are the Law

THERE is little to be said of the lynching at Irwinton, Ga., that has not already been said of others. But in some ways it was particularly disgraceful, because the inflammatory element of rape did not figure in the victim's offense or the lynchers' supposed provocation.

From the remark of Sheriff GEORGE HATCHER that the murdered Negro had "the worst reputation I'd ever heard of," one gathers a clear impression of what must have happened. Two white men (and perhaps others whom CALIP HILL'S frightened cellmate did not see) decided that HILL was not entitled to the protection which the Constitution guarantees all citizens. Taking advantage of the sheriff's prolonged absence and ready access to the jail keys left on the sheriff's dining room table, these two self-appointed guardians of order seized the man and beat him and murdered him.

Sheriff HATCHER'S assurance that he had put HILL "in my best cell" doesn't offer much now that the man is dead. And in the absence of a federal anti-lynching law, we suppose the men who shot CALIP HILL will keep on feeling that they and not due process are the rulers of Irwinton.

Another Lesson From Irvington

It is our opinion that the failure to provide adequate protection and safeguard against impending eventualities for Caleb Hill at the Irvington jail last Monday morning, is due either to official negligence, indifference or carelessness.

But quite aside from the lessons which come from the lynching itself is that which Negroes themselves might learn. It is difficult to escape the plain conclusion that certain groups of our people depend too much upon the entertainment which the juke-joints provide.

This is not to deny the overwhelming evidence which proves that these people have little or no other forms of recreational outlets when their day's work is over. Neither are we blind to the injustice and inequalities sanctioned by local governmental agencies in providing recreation for whites at public expense and ignoring the needs of Negroes. We repeat, all of this is plain to us. But in spite of it, we must still insist that the juke-joints are no place for them to go for entertainment.

We will not contend for a moment that these places should not be frequented, of course not. But we think as centers of recreation they constitute a real danger for our people. In the first place, the management, whether it be white or colored, does not insist upon law and order nor welcomes a police officer, around, since they think it hurts their business. And in a sense, it may hurt, for Negroes of this calibre are not any too comfortable with the law hanging around. So the juke-joints are at their best when there is no law to chill the enthusiasm of the merrymakers. They get stewed up on their strong drinks and from that point anything may happen from a mere stabbing to a lynching, as in the case of Hill last Monday.

Estimates on the number of Negroes at the place vary greatly. Sheriff Hatcher said there were about 100 Negroes in the place and none of them offered to help him, although one Negro is reported to have given him his gun. Another estimate places the number of Negroes at no more than 15 or less. From the pictures of the place we have seen, it is beyond any stretch of the imagination to figure out how 100 persons could even stand up in so small a place.

The size of the place, of course, is not the point we make here. It is the place itself. A well-ordered place ought to be able to subdue rowdiness and outlawism. And where it fails to do so the management ought to be in position to summon the proper authorities for help, rather than leaving it to a patron, as was done against Hill, to walk all the distance to the jail, awake the Sheriff and asked him to come and arrest Hill for stabbing him.

It all sounds real bad and should be enough to teach them and other Negroes like them, a real lesson. That there is little protection at the juke-joints and there is much danger, very real, in every breeze. Stay away from juke joints.

LYNCH JAIL—Jailhouse and Sheriff's home in Wilkinson County. The jail quarters are located on the second floor and reached by a back stairway. Young Caleb Hill, father of four children the youngest 3 months old was snatched by mob and lynched during the early hours Monday morning.

Behind The Headlines

Changing Public Opinion Regarding Mob Violence Underlined By Current Views

By ALBERT L. HINTON

SLIGHTLY more than two years ago—on the night of May 28, 1947 to be exact—the State of South Carolina muffed its most ambitious bid for moral leadership among its sister states of the South and, simultaneously placed its official stamp of approval on mob law.

MR. HINTON

Opportunity which had knocked for days on the door of the Palmetto State was lost forever at exactly 10:05 p. m. as a jury in Greenville County General Sessions Court returned a verdict of not guilty which freed 28 white men of all charges growing out of one of the most atrocious mob murders ever recorded.

The lynching of Willie Earle in the early morning hours of February 17, 1947 in Pickens County, South Carolina at the hands of a vengeance hungry mob, will go down in history as without parallel in the blood-soaked annals of American mob violence. And the subesequent acquittal of his spineless sadistic cold-blodded murderers will forever remain one of the darkness blots ever to stain the escutcheon of justice in this or any other land.

Thus was brought to an ignominious end with five hours and 15 minutes of deliberation by a jury of nine textile workers, two salesmen and one farmer, the biggest and most sensational lynch trial in the nation's history.

AS A WORKING newsman and thus theoretically, at least, a more or less "impartial" observer of the nine-day trial, I tried desperately to salvage even a faint glimmer of hope out of the bitter dregs of keen disappointment. A confirmed optimist, I even permitted myself the luxury of a belief that the furor and hullabaloo which followed the Earle lynching, and the merciless spotlight of publicity which surrounded the mass lynch trial would somehow, miraculously serve as an effective deterrent to future would-be lynchers.

But on Sunday night of last week, almost on the very anniversary of a "day that will live in infamy", the State of Georgia—about one of whose residents I made some highly complimentary remarks only last week — laid claim to the highly dubious distinction of chalking up the year's first lynching.

And while, in Irwinton, Georgia stronghold of Talmadgeism, Caleb Hill, 28-year-old chalk miner and father of three children, was being dragged from the county jail above the living quarters of the county sheriff himself, to be sacrificed to the god of lynch law paradoxically enough a Senate sub-committee, headed by Senator Harley M. Kilgore, Democrat, of West Virginia, began hearings on three anti-lynching bills in "the greatest deliberative body in the world."

At last reports, reaction throughout the South to the year's first lynching which, as one resident put it, would "not have stopped a checker game in Irwinton, Ga.," ran the gamut from shock to indignation, and back again with the latter enjoying a slight edge.

BUT OUT OF THE welter of confusion, shock and indignation left in the wake of the Irwinton atrocity, one fact emerged with crystal clearness. The attention this lone mob killing commanded in leading Southern newspapers and among Southerners in general sharply underlined the vastly changed public attitude toward racial violence and all of its evil concomitants.

Editorially, the very influential MACON TELEGRAPH observed:

"The South is constantly the victim of bigoted and unfair criticisms on the part of northern agitators. Such crimes as these give these agitators more fuel for their fire, and that is why we must endeavor to keep our records clean. We want to see a diligent search made and the party or parties responsible for the death of this Negro brought to their just punishment."

All of which brings us down to another highly interesting development in Georgia. In Macon on Saturday a Federal grand jury returned an indictment against a Harris County deputy sheriff who was charged with having turned a hapless Negro over to seven white men who flogged him over a year ago. The seven were also indicted. The deputy sheriff faces a possible maximum penalty of 13 years in prison, while his accomplices are each liable to prison terms of 12 years, plus heavy fines.

They are charged with having violated the victim's civil rights!

The ghosts of Willie Earle and Caleb Hill might reasonably ask: How civil can one's civil rights get?

Lynching Days Are Here Again

Fear and anger trouble the hearts of Negro millions today as the story of another lynching gradually unfolds from the hazy dispatches of investigators in the town of Irwinton in the middle of Georgia. A rumor that the local sheriff had been attacked by a Negro was apparently enough to set off a mob, hell-bent on upholding the white-supremacy dictatorship in Georgia.

Neither our fears nor our anger will save the life of Caleb Hill nor stop other Negroes from being lynched. They will avail us nothing. The white American who is determined to preserve the lynch law and protect the "sacred institutions" of the South must be brought to justice and punished for his criminal acts. This will never be done until we get a Federal anti-lynching law with teeth in it. The full might of the United States government must be brought against this evil.

The Congress has been playing fast and loose with Civil Rights legislation and while they play, black citizens remain at the mercy of mad human bloodhounds who put more value on the color of their skins than they do on God and country.

For every Negro that is lynched, thousands of Negroes are threatened. The white-supremacists know they can strike terror in our hearts by the threat of violence and that threat hangs over the head of millions of Negroes today. No Negro, no matter how distinguished, no matter how great or valuable to the nation, can escape the shadow of the lynch rope in the South.

The Dixiecrats in the Congress and their allies in the North must share in the guilt for the lynching of Caleb Hill. His blood is also upon their hands. These Dixiecrats who have doggedly fought every single move to give Negroes the protection and constitutional guarantees of American citizenship are giving encouragement to the brutal masters of the lily-white dictatorship. They are defending the right of white men to murder and lynch their darker brothers.

They say the Negroes of the South are happy. Who is happy in Irwinton today? How complete can hypocrisy become? Why are Southern Negroes fighting so desperately for the right to vote and help choose those by whom they will be governed? Indeed, why are the Dixiecrats so desperately fighting to keep the Negro citizen from the voting booth?

The children of Caleb Hill must concern us now. They must be permitted to become first-class American citizens. They must be given a share in our vaunted democracy. White and black Americans are challenged by the lynching of Caleb Hill to join hands in the great crusade to enact Civil Rights laws which will protect his children and give them some hope for the future.

The lynchers of Caleb Hill like the murderers of four Negroes in Monroe, Georgia, may escape any punishment. The lynchers of Robert Mallard in Southern Georgia last year were acquitted while the mobsters who murdered the two couples in Monroe were never brought to trial. The Department of Justice, the Federal Bureau of investigation and every law enforcement agency of the government is rendered helpless or nearly so because Congress has refused to do its duty. We cannot countenance this tragic situation and we must pledge now that either this Congress enacts Civil Rights laws or we will get a new Congress.

Should have started here

Purvis told newsmen that he [illegible] ten years older for having [illegible] in this jail," and Pierce declined comment except to say he wanted [illegible] more publicity in the case.

6-17-49

Purvis, a dark complexioned and heavily built cafe operator, was asleep in his cell when the jury reached a conclusion. Pierce, a slim electrician, heard the verdict in a newscast from Macon's radio station [illegible].

SHERIFF [illegible]

Sheriff Hatcher had nothing to tell newsmen after Superior Court Clerk Willis I. Allen read the jury's report.

6-17-49

Both Hatcher and Solicitor Baldwin made side remarks, however, that led observers to believe the investigation will be continued.

Nearly a dozen witnesses, including Hatcher and his wife appeared before the Grand Jury.

Other witnesses were agents of the Georgia Bureau of Investigation, policemen from nearby Milledgeville, Ga., and a Negro who drove [illegible] to jail after the [illegible] victim had been arrested for [illegible] stabbing another Negro. [illegible]

[illegible] told International News Service that the Federal G-men moved into the case under specific orders from Attorney General Tom Clark.)

The World

As the hunt for additional evidence continues, the investigators looked for the weapon from which the death bullets were fired.

Hill, father of three children, was killed on May 30 by three shots through the head and neck.

Atlanta's "crime doctor," toxicologist Herman Jones, meanwhile, announced he had "partially completed a ballistics test on the bullets. He declined to disclose the extent of his findings.

A cafe operator, Dennis L. Purvis, 37, and a 27-year- old electrician, Malcolm V. Pierce, were arrested over the week-end on charges of suspicion in the jail-raid slaying. Both men live at nearby McIntyre, Georgia.

Memphis Sena.

They were jailed by agents of the Georgia Bureau of Investigation.

Pierce and Purvis are being held pending a grand jury hearing June 14 when GBI Lt. H. M. Spurlin is scheduled to deliver evidence in the case.

FBI AGENTS PROBING LYNCHING

Memphis [illegible] (27a)

Fri. 6-10-49

Ballistics Test On Fatal Bullets Partially Completed

IRWINTON, Ga. — (INS)— The Federal Bureau of Investigation announced Monday night that its agents are probing the mysterious [illegible] lynching of Caleb Hill [illegible] Negro [illegible] County Sheriff George [illegible] said he had been questioned by about half a dozen FBI [illegible] they moved in on the case [illegible].

The sheriff said:

"I'm glad the FBI has let it be known that they are here. There are quite a number of agents working in the case. I'd guess about [illegible] have questioned me."

Hatcher said he has "nothing new" to announce in the unfolding of the case in which two men [illegible] the [illegible] the sheriff's [illegible]-in-law, have been [illegible]

(The FBI stepped into [illegible] [illegible]

LYNCH JURY IN GEORGIA FREES TWO WHITE MEN

Appeal (27a)

Negro Was Taken From Jail And Shot To Death May 30

Memphis Sun

IRWINTON, Ga., June 14—(AP) —An all-white grand jury Tuesday freed two white men of any guilt in connection with the lynch-murder of negro, Caleb Hill Jr., 28.

Wed. 6-15-49

The jury, after an all-day investigation in this rural Georgia county seat, ruled there was not enough evidence to bring the pair to trial.

Dennis Lamar Purvis, 37, cafe operator and well-to-do business man, and Malcolm Vivian Pierce, 27, electrician, had been held for nine days in the jail from which Hill was taken and shot to death May 30.

6-15-49

The negro's widow swore out murder warrants against the two white men. Georgia Bureau of Investigation Agent H. M. Spurlin, Sheriff George Hatcher and Solicitor C. S. Baldwin said before the investigation they were "sure" they had enough evidence to obtain some indictments.

The grand jury heard 12 witnesses, including law enforcement officers and three men who were in the jail when Hill was seized.

Hill was arrested by Sheriff Hatcher at a negro roadhouse. Hatcher said he had been called to investigate a report Hill had stabbed another negro.

The sheriff said Hill managed to get his gun in the scuffle and fired at him. The sheriff put Hill in jail and went back to look for the pistol. While he was away, the sheriff added, two white men entered the jail, found his keys, and took Hill.

Evidence Not Sufficient, Jurors Declare

Daily World

Atlanta, Ga.

Sat. Wed. 6-15-49

(27a)

FBI Promises To Continue Probe For Lynchers

Wed. 6-15-49

IRWINTON, Ga.—(INS)—A Wilkinson County grand jury freed two white men Tuesday in connection with the lynching of Caleb Hill, but probe of the murder continued.

The grand jury returned a no bill after reviewing the case against Dennis L. Purvis, 37, and Malcolm V. Pierce, 27-year old nephew of Wilkinson County Sheriff George Hatcher.

Solicitor C. S. Baldwin admitted that evidence was insufficient, the Solicitor indicated, however, that the investigation would continue in an effort to get the first conviction in 25 Georgia lynchings since 1930.

FBI agent, who were among the handful of spectators when the Grand Jury Verdict was read, will also continue their study of the case to determine if Hill's civil rights were violated.

(In Atlanta, FBI agent-in-charge John Bills told international news service there has "been no change in the FBI's interest in the matter.")

Hill, a 28-year-old Negro chalk miner known as "Pickle Pie," was taken from the Irwington jail and shot last May 30 shortly after Sheriff Hatcher arrested him.

Pierce and Purvis were arrested a few days later. Both of them appeared elated to get out of jail Tuesday afternoon.

Georgia Officials Take Lynching To Grand Jury

(27a)

IRWINTON, Ga., June 13—(AP)— Georgia [illegible] tomorrow on a state [illegible] effort to solve the lynching of a Negro.

Balt. Afro [illegible]

The state has seen 25 Negro lynchings since 1930. It hasn't returned a conviction in any of them.

Nine Southern states have had 116 lynchings in the last two decades. They have produced only four convictions. (27a)

For the nation as a whole, the record since 1900 shows 1,976 lynchings and only 83 convictions. Most of the lynchings, and 68 of the convictions were in the South.

Georgia's record of Negro lynch violence since 1900 shows only three convictions—one in 1930, one in 1922 and one in 1924. The figures were compiled from records of the Tuskegee Institute and the Southern Regional [illegible]

Balt. Afro 6-13-49

With this record as a backdrop, a special Wilkinson County Grand Jury convenes Tuesday to investigate the lynch-murder of Caleb Hill, Jr. The 28-year-old Negro was abducted from the County Jail May 30 and shot to death.

The Negro's widow has sworn out murder warrants against two white men—Dennis Lamar Purvis, 37, cafe operator and well-to-do business man, and Malcolm Vivian Pierce, 27, electrician. Both are from nearby McIntyre in this strongly rural county in Central Georgia.

Lt. M. H. Spurlin, of the Georgia Bureau of Investigation, will report to the Grand Jury on an intensive investigation of the incident. The FBI and Sheriff George Hatcher also have worked on the case.

The Grand Jury has 23 members, all white men. They include a preacher, doctor, business men—but most of them are farmers.

The Negro was arrested by Sheriff Hatcher after a scrap in a cafe. Hatcher lodged the Negro in jail—which also is his home—and then left to recover his gun, lost in the melee.

Another Negro prisoner said two white men took Hill from his cell. Hatcher said they apparently picked up his keys, which he left on his kitchen table.

Spurlin said today he is "sure" he has enough evidence to obtain some indictments.

7847

Make Lynching A Federal Offense!

Journal & Guide

THE need for a federal anti-lynching law was twice demonstrated last week.

The first instance was the lynching of a Negro at Irwinton, Ga.

The second was the indictment of another Georgia sheriff and several other men by a federal grand jury the sheriff for allegedly turning a Negro over to the others, who allegedly administered a brutal beating to the victim.

The callous and shameless disregard for elemental justice for non-white citizens in Georgia was reflected after the first recorded 1949 lynching when a stalwart Georgia Caucasian remarked that the mob-murder of CALEB HILL, Jr., "didn't even stop a checker game in Irwinton."

Even southern dailies are charging Sheriff GEORGE HATCHER with "gross negligence" in the lynching of HILL, a 28-year-old father of three children. That is an important point, for one feature of most bills offered in Congress, unsuccessfully so far, to combat lynching is punishment for law enforcement officers who are negligent—or worse—in guarding prisoners against lynchers.

Sheriff HATCHER says he returned from his combination residence-jail to retrieve his pistol, leaving the keys to the jail cells on his dining room table, recovered the pistol after two hours, returned to the jail-residence, and noticed nothing. He did not know there had been a lynching, he said, until he was called next day to identify a dead body—that of the lynched man.

Perhaps that is the whole truth, but it does Sheriff HATCHER no credit whatever. Carelessness is a kind word to use in reference to a police officer who leaves the keys to a jail where any would-be mobbists can easily find them. The testimony of another prisoner that he did not recognize the men who murderously abducted HILL—and could not now identify them—can safely be interpreted as the testimony of an intimidated man who fears meeting a similar fate. And the tragedy of it is that, given the kind of protection HILL got, he is probably right in fearing for his own life.

Another sorry aspect of the Irwinton lynching is the inaction, up to this writing, by Governor "HUMMON" TALMADGE. He failed to take any prompt steps to help track down the men who took the life of a man arrested merely for brawling, who affronted all the principles of decency and justice and of the presumption of innocence until proved guilty. Other Georgia governors have ordered out the sleuths of the state bureau of investigation, even if only for appearances' sake.

Governor TALMADGE ran on a white supremacy platform and the good white people of the county of Wilkinson, in which Irwinton is located, voted overwhelmingly for him. Obviously too many Georgians regard lynching as a handy form of intimidation to keep Negroes "in their place." Some who dared to vote were slain. It was assumed, and with good reason, that Negroes would vote against TALMADGE.

The public opinion in and about Irwinton has not been made any less prone to condone lynchings by the publication of the *Wilkinson County News* edited by an ardent Talmadgeite, ALEC BOONE. BOONE is a member of the TALMADGE-dominated legislature. On this score the *Atlanta Constitution* in commenting on the lynching, observed:

"The climate of the county encourages such actions because of public writings in the county which commonly display violent and inflammatory terms, including tarring and feathering, and other forms of mob violence, in discussing the racial problems of the state and nation."

Generally the comment of quoted southern white leaders and of the better newspapers was critical of the lynching, but much of the criticism was prompted apparently by the fact that the lynching "moves us closer to federal laws" against lynching, as the *Atlanta Constitution* pointed out.

The *Macon Telegraph* said that "such crimes as this give these (northern) agitators (sic) more fuel for their fire, and that is why we must endeavor to keep our records clean." Although the *Telegraph* called for "a diligent search" for the mobbists and hoped that those "responsible for the death of this Negro (would be) brought to their just punishment," many will wonder why the lynching was not more emphatically deplored for itself rather than regretted because it might hasten anti-lynching laws.

With rare exceptions, despite the decline in the recorded or provable cases of lynching, the state legislatures and governors of the South have done nothing to effectively stamp out lynching. Lynchers, even when brought to trial, are not punished. The instances to prove that assertion are numerous and will come to mind of any who pause to reflect on the developments of the past year or so.

It took a federal grand jury to indict a sheriff and others last week for a crime committed almost a year ago. The Georgia authorities, had they wished, could have moved against the same men.

It is this newspaper's considered opinion that only federal laws, enforced by federal authorities, will control the crime of lynching.

We have federal action now against kidnappers and against auto thieves who cross state lines, for instance. It is long past time for lynching to become a federal offense.

Suspects In Lynching Held In Jail

Murder Victim Is Described As Hard Working Laborer

By International News Service

IRWINTON, Ga. — Two men are held in a Georgia jail on charges of suspicion of murder in the kidnapping and lynching of a 28-year-old Negro who was taken from a Wilkinson county jail here.

The [illegible] taken into custody by [illegible] of investigation agents and named as Dennis L. Purvis, 37, and Malcolm V. Pierce, 27. Both are residents of McIntyre, Ga., where Purvis is a cafe operator and Pierce an electrician.

Caleb Hill, the lynching victim, was picked out of a cell he shared with Tom Carswell, who testified at a Cornorer's inquest following the slaying last Monday that two men abducted Hill.

The victim had been arrested by Sheriff George Hatcher following a disturbance at a roadhouse and rumors spread later that Hill had slain the sheriff.

Hatcher said the false reports apparently stemmed from a scuffle between the officer and Hill when the latter was arrested, after he allegedly seized the sheriff's gun and fired a shot.

GBI Lt. H. M. Spurlin said he would present his evidence before the Wilkinson County grand jury in a special session, June 14.

Hill, who was described by Sheriff George Hatcher as a "bad one," who had often given officials trouble, is referred to in the colored section here, as a hard working man who had been the sole breadwinner for nine people.

REPORTER VISITS HOME

A reporter visited the tiny pine board house, unpainted and weatherbeaten, where Hill lived with his wife, three children, two sisters, his mother, and his crippled father. Here the widow asserted that Hill had been a mighty good provider. She recalled that he quit school in the seventh grade to go to plowing when his father became incapacitated. Later, she said, he got a job in a nearby chalk mine, where he had the reputation of a hard worker.

"Some folks were envious of Caleb because he had a pretty nice automobile and used to go sailing along the county roads after he got through work," the widow said. "We last saw him at a ball game Sunday afternoon, and he must have gone to Ciola Parker's right after the game."

SHERIFF'S OPINION SUPPORTED

Sheriff Hatcher's opinion of the murder victim was supported by the county's representative in the Georgia Legislature, Alex Boone, who publishes the Wilkinson County News, a weekly.

Boone stated irritably that the shooting of Hill was getting a lot more attention than it deserved. A few other townsmen agreed with Boone and the sheriff in their estimate of Hill's character. One said that until outsiders showed up Hill's lynching had not caused enough stir to upset a checker game.

Ciola Parkers is the proprietor of the New Harlem Club, where an altercation took place between the sheriff and Hill, leading to Hill's arrest. The sheriff went to the cafe to investigate a report that Ned Burney had been robbed there by Hill.

FBI agents, Sheriff George [illegible] local officers [illegible] will be made [illegible] all white men.

Charged in the warrants are up of 23 members—all w

Dennis Lamar Purvis, 37, cafe owner and prominent business man; and Malcolm Vivian Pierce, 27, electrician — both of nearby McIntyre.

Lt. M. H. Spurlin of the Georgia bureau of investigation will tell the grand jury about the intensive investigation of the incident. GBI

Lynching Inquiry Slated in Georgia

(The Associated Press)

Irwinton, Ga., June 13—Georgia Tuesday will attempt to solve the lynching of Caleb Hill, Jr., Negro, the grand jury about the intensive investigation of the incident. GBI

Jail-Cell Version Gives Little Clue

IRWINTON, Ga. — (INS) — Agents of the Georgia Bureau of Investigation Monday night were asked to join in the search for two white men who lynched a Negro prisoner near Irwinton early Monday.

A rumor that the victim had killed Sheriff Hatcher may have resulted in the mysterious execution of mob rule.

Indications were that 28-year-old Calib Hill, Jr., was dragged from his cell in the Wilkinson County jail under the Eerie Glow of lighted matches and with but two words being spoken.

Those words were: "let's go!"

Tom Carswell, a Negro cell-mate of Hill, told a coroner's jury that two "heavy-set" white men abducted the victim without saying more than the terse order.

Carswell said he was unable to recognize either of the men because there was so little light.

Hill's bullet-cut body was found early this morning on a Sandy Creek Roadside, about three miles from Irwington.

Dr. W. M. Puckett informed a coroner's jury that Hill's death resulted from a bullet wound in the head. The Negro also was shot in the left shoulder.

TRADITIONAL INQUEST

The Inquest decided that Hill had been murdered "by bullets fired by unknown hands."

Sheriff Hatcher said the victim was removed from the jail cell, sometime between midnight and 2:30 a. m. During that time, the sheriff was looking for his gun which Hill had jerked from its holster.

The sheriff said that after he returned from the Roadhouse a second time after searching for his pistol, everything was quiet at the jail.

Ballistics tests in Hill's shooting were delayed, meanwhile, when Hatcher declined to order Dr. Puckett to remove the bullet.

The sheriff explained the procedure would "cost a lot of money."

He explained the county commission would have to bear the medical expense unless the bullet removal was ordered by higher authority.

The body of the victim, known widely through the county as "Pickypie" Hill, was found shortly after dawn by two young farmers, Harold and Howard Toler. They reported their discovery to Hatcher.

SHERIFF ALONE, HE SAYS

Hatcher had struggled with Hill for possession of the gun when he [illegible] the Negro in connection with a stabbing at a Roadhouse.

The sheriff recalled:

"I was fighting for my life among about a hundred of them (Negroes) and not one came to my assistance."

The sheriff explained that the disturbance resulted in several white men coming to the Roadhouse. He recalled one of them as saying:

"Where is he?"

Hatcher explained that he informed the men he was taking Hill to jail and intended to put him safely behind bars.

When Hill was in jail, the Sheriff left his keys, he said, on the dining room table and the door to his quarters unlocked on the first floor of the jail.

He then returned to the Roadhouse, a Negro night spot known as Cleola's Place. He said he thought he would return in such little time that is was unnecessary to lock his quarters where Mrs. Hatcher and their two daughters were sleeping.

Mrs. Hatcher said that "sometime during the night," she heard sounds but assumed that it was the sheriff.

Mrs. Josie Hill, George Edward, 5; Josie Lee, 2 months, and James, 9, widow and children of Caleb Hill Jr., who was lynched by two white men in Irwinton, Ga.

Victim Buried Sunday

(Special to The Courier)

IRWINTON, Ga. — White residents of this community, who have accepted the lynching of Caleb Hill Jr. with a [illegible] shrug, sat back on their heels Sunday when the Georgia Bureau of Investigation jailed two white men and stated that they will be charged with Hill's murder.

Lieut. M. H. Spurlin of GBI identified the men as Dennis Lamar Pierce, 37, operator of a cafeteria and grocery at McIntyre, and Malcolm Vivian Pierce, 27, a McIntyre electrician.

Spurlin said he and GBI Agent Henry Walden arrested the two at McIntyre 10:30 Saturday night. He said he thought he had "sufficient evidence" to get an indictment from the grand jury which meets in special session June 14.

McIntyre is about three miles from Irwinton and Hill lived by the highway about half-way between the two.

TAKEN FROM JAIL

Hill was buried Sunday at a Methodist church near Jeffersonville. His death followed his arrest by Sheriff George Hatcher at a small roadhouse after a fracas between Hill and another Negro. While he was making the arrest, Hatcher said, Hill seized Hatcher's pistol and shot at him. Hatcher subdued Hill, took him to jail and returned to look for his pistol which was lost in the scuffle. While he was gone, Hatcher continued, two white men entered the jail and took Hill away. They opened the jail with the keys Hatcher said he had left on his dining room table. Jail quarters are located in a brick house, the bottom quarters of which furnish dwellings for the sheriff and his family.

VAGUE DEFENSES

White folks here continued answering critics with vague talk about gang killings up North. They complained about "them lying newspapers." One woman insisted that "if he (Hill) had killed George Hatcher (sheriff), the newspapers wouldn't take any notice of it." Irwinton's weekly Wilkinson County News, published by State Legislator Alec Boone, wasn't taking any notice of the lynching in Friday's edition. Editor Boone said: "I just haven't gotten around to writing anything about it this week. I will have something to say next week, though." He also criticized Judge George V. Carpenter of Ocmulgee Superior Court Circuit for calling a special grand jury session to investigate the lynching. Judge Carpenter has called the April term Wilkinson County grand jury to reconvene at a special session at Irwinton June 14. Court Clerk Willis Allen said that Howard Blalock, white Baptist minister from Gordon, is foreman of the April term grand jury.

"TOOK NO STUFF"

Hill, described as a frugal worker among the chalk mines, had a 1946 automobile which was the envy of white and colored alike. He lived in an unpainted, but well-kept pine-trimmed house, and he "took no stuff" from either white or colored persons. He was thought of as a "bad n . . . . r" by whites and he had had several run-ins with some of them. On at least two occasions he was forced to leave his home area for several weeks until things quieted. The last occasion was less than a month before he met his lynch-death.

DENIES BEATING

Sheriff Hatcher denied printed reports that he beat a Negro who led him to the gun he lost in the fight with Hill. The report had stated that the man was beaten and his wife suffered a wrenched ankle in the presence of four State troopers and the police chief.

Two white youths found Hill's body, beaten and shot, on a Sandy Creek road, about three miles from Irwinton. Shot in the left shoulder, he was said to have died from a bullet wound in the head. The sheriff was reluctant at first to have ballistics tests made of the pellets in Hill's body. He finally allowed a Negro undertaker-embalmer to make the autopsy. The bullets were turned over to the Georgia Bureau of Investigation which sent them to Atlanta, without a weapon, for examination. The sheriff claimed that removal of the bullets would be too expensive and that the commission would have to bear the expense.

FAMILY WARNED

Curiously enough, the family of the slain man revealed that an attempt to locate him in jail and secure his release brought only the warning to return home and stay off the streets. This warning is said to have come from Mayor Erwin Everette of Irwinton. John Payne, jail janitor, informed them on the way home that the white folks had said to stay out of town.

Jail - Cell Version Gives Little Clue

Atlanta Ga Jul. 5-31-49

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Victim Buried Sunday

IRWINTON, Ga. — White

7848

NEGRO DEATH JOLTS SLEEPY DIXIE HAMLET

Daily Tribune Chicago Ill.

(27a)

Most Excitement Since Civil War

6-1-49

Irwinton, Ga., May 31 (Special)—Not since Sherman stopped over with his army in 1864 on his way from Atlanta to the sea has there been as much hubbub in this sleepy central Georgia county seat as exists today—the result of the kidnaping and slaying Sunday night of a Negro jail prisoner.

From the corner feed store at one end of the main street to the Judy Ruth theater at the other end, men congregated in groups around hitching posts and watering troughs to mix words and tobacco juice while contemplating in amazement the excitement stirred up by the event. Wed.

Lots Of Strangers

There were a lot of strangers in Irwinton today. Strangers stand out like sore thumbs in this village of fewer than 1,000. Some were newspaper men from out of town papers. Some were believed to be investigators for various national organizations interested in civil rights and suppression of lynching. The Georgia bureau of investigation sent an agent over from its post at Dublin.

The Atlanta office of the federal bureau of investigation refused to confirm or deny reports that the government is looking into the affair, altho it was admitted the FBI "has information" about it. In Washington, the justice department said the circumstances are under "active study."

Sheriff George Hatcher, who left his jail unguarded Sunday night after locking Caleb (Picky Pie) Hill, 28, in a cell, said he is doing his best to find out the identity of Caleb's kidnapers, but added, "There's nothing to go on." Chicago, Ill.

Keys On The Table

The sheriff told a coroner's jury yesterday that he tossed the cell keys on his dining room table and walked out of his house without locking the front door. The jail is on the second floor of the sheriff's home.

The inquest, held in Irwinton's ante-bellum red brick courthouse, produced testimony from Hill's Negro cellmate, Tom Carswell, that two white men came to the cell with keys, ordered, "Come on, Picky Pie," and took Hill away with them. Carswell said Hill went along without resistance. Wed. 6-1-49

At this point, Coroner C. C. Thompson leaned forward and put the $64 question to Carswell. "You probably couldn't identify those two men if you saw them again, could you?" the coroner asked. Carswell shook his head and answered smartly, "No, suh."

Sufficient For Verdict

This testimony was sufficient for a verdict by the six man jury that Hill came to his death from gunshot wounds at the hands of persons unknown. J. C. Jackson, the foreman, a sawmill worker and farmer, wrote out the verdict, concurred in by his fellow jurors, Elmer Stapleton, sawmill worker; C. J. Green, filling station operator; Clint Sims, farmer; Albert Papp, mine foreman, and Eugene Brooks, electrician.

Observers commented today that the inquest testimony had raised an interesting legal point. If no more than two men took part in the kidnaping and slaying, it was said, the act was not a lynching but a murder. By legal precedent, the presence of three or more persons is essential to a lynching. (27a)

The street corner discussions included speculation over reasons for Hill's apparent lack of fear or reluctance to accompany the men who came for him in his cell. He would not willingly have left the safety of the cell except in response to orders he credited to recognized official sources, some of the speculators said.

Calls Him A "Bad One"

The sheriff, a curly haired, medium sized man long identified with the Talmadge branch of Georgia's Democratic party, insisted imperturbably that Hill was a "bad one" who had often given officials trouble. In this opinion he was supported by the county's representative in the Georgia legislature, colorful Alec Boone, who publishes the Wilkinson County News, a weekly. Daily Tribune

Boone, who goes around town in shirt sleeves with his trousers held up by red suspenders on each of whose front straps the word "Talmadge" is vertically emblazoned, stated irritably that the shooting of Hill was getting a lot more attention than it deserved. Boone wears a claret wig to match the suspenders.

A few other townsmen agreed with Boone and the sheriff in their estimate of Hill's character. One said that until outsiders showed up the Negro's demise had not caused enough stir to upset a checker game.

Vastly Different View

In the Negro section of Irwinton, however, a vastly different view was expressed. Hill was described as a hard working man who had been the sole bread winner for nine persons. Chicago, Ill.

A reporter visited the tiny pine board house, unpainted and weatherbeaten, where Hill had lived with his wife, three children, two sisters, his mother, and his crippled father. Here the widow asserted tearfully that Hill had been a mighty good provider. She recalled that he quit school in the 7th grade to go to plowing when his father became incapacitated. Later, she said, he got a job in a nearby chalk mine, where he had the reputation of a hard worker. Wed. 6-1-49

Had Nice Automobile

"Some folks were envious of Caleb because he had a pretty nice automobile and used to go sailing along the county roads after he got thru work," the widow said. "We last saw him at a ball game Sunday afternoon, and he must have gone to Ciola Parker's right after the game."

Ciola Parker is the Negro proprietor of the New Harlem club, where an altercation took place between the sheriff and Hill, leading to Hill's arrest. The sheriff went to the place, he said, after getting a report that Ned Pinkney, a Negro, had been stabbed there by Hill.

The sheriff's story is that after he entered the New Harlem club Hill slipped behind him, purloined his pistol, and fired at him with it, the bullet going wild. The sheriff borrowed a pistol and marched Hill off to jail without recovering his own weapon. His absence from the jail at the time of the kidnaping, he has explained, was because he went back to retrieve the pistol.

Hill's body was found at 7:30 a. m. yesterday on a highway three miles from here by Howard and Harold Koler, operators of a "two horse farm" nearby. Their report to the sheriff was his first knowledge of the kidnaping, due to the fact he went to bed without inspecting his prisoners, the sheriff said. (27a)

Remove Two Bullets

Will Whipple, undertaker, said today that under authorization from the sheriff he had removed one bullet from Hill's head and another from his heart. He said a third bullet had pierced the neck.

The sheriff reiterated his theory that the kidnaping was inspired by rumors spreading from the New Harlem club that the shooting there had had a fatal result for the sheriff. He said when he arrived at the jail with Hill he found a state trooper there who had heard the report and was surprised to see Hatcher alive. He was accompanied by the trooper, he said, when he left to search for his gun.

In Atlanta, Gov. Herman Talmadge had no comment.

Say Sheriff Involved In Georgia Lynching

Daily Worker (27a) New York, N.Y. Fri. 6-3-49

By Homer Chase

ATLANTA, June 2.—That Sheriff Hatcher was party to the lynching of Caleb Hill in Irwinton early this week is the conviction of most Negroes here. Their anger and indignation over the brutal killing of the young Negro is increasing by the hour. Young Hill was seized by unidentified white men in Irwinton, taken from the jail and carried to the outskirts of the city. His body was discovered with three bullet wounds.

The keys to the jail were on a table in the sheriff's home. The lynchers walked into the sheriff's home while he was sleeping, according to his story, took the keys and then went to the jail.

Stories vary regarding the number of lynchers. Some say there were two men, others say more.

A. T. Walden, famous lawyer and Negro leader, expressed his anger and his opinion that the sheriff is involved. He told this writer that he was in touch with the national NAACP office concerning action by that organization. 6-3-49

Jack Lorenz, co-chairman with LeRoy Johnson of the Young Progressives of Georgia, denounced the lynching and said that he and Johnson have planned a protest meeting, to be held in Sales Hall at Morehouse. Their organization is demanding that the Georgia Bureau of Investigation arrest Sheriff Hatcher. Fri. 6-3-49

THE PROGRESSIVE PARTY of Georgia issued a Press Release denouncing the lynching and called upon Gov. Talmadge for action, "even if that means the immediate arrest of the sheriff." They also called on Truman to ". . . protect American citizens in Georgia even if it means declaring martial law in Wilkinson County." (27a)

The Communist Party of Georgia demands that Sheriff Hatcher be arrested and tried for his part in the lynching. The CP here also urges letters to Talmadge calling for the arrest. Georgia Communists urge every progressive, every anti-fascist to demand that Truman send federal troops into Central Georgia to protect Negro citizens. Fri. 6-3-49

The local white-supremacist press editorialized in regard to their "sorrow" at the murder, and sought to cover up their own guilt in the killing, that is, they did not mention that their white supremacist propaganda helped make possible the lynching. They also failed to recognize the need to act against Hatcher in the brutal killing of Hill.

AS THE LYNCHING took place in Irwinton reactionaries moved against progressive leaders in Atlanta. A youth who has had some contact with the Communist Party here swore out a peace warrant against this writer. A hearing on whether this writer will have to furnish a peace bond is due tomorrow. In the warrant the youth whose name is Wilder also made fantastic accusations against Miss Eudice [illegible], local Jewish-American leader and active in the campaign to free the Ingrams, against Jack Lorenz of YPG, Ernie Lewis of Emory University, and Bill Stafford, Secretary of the third Party. Stafford's home has been stoned the past two nights.

Last night only Mrs. Stafford and her three year old daughter were at home when the attack came. Mrs. Stafford held the fort. Same as local right wing leaders of the CIO refused to allow Stafford, who represents the United Public Workers here, to remain in the building. Fri. 6-3-49

Further, a mob of 100 people threatened Negro women and children in Atlanta's westend because the Negro people had moved into a few houses outside the ghetto area.

Young Progressives Assail Lynching

The lynch-murder of Caleb Hill in Irwinton, Ga., was characterized as a blow against the

Constitution and the Bill of Rights in a statement yesterday by Seymour Linfield, director of the Young Progressives of America, officially demanded that the Administration insist on enactment of anti-lynch legislation with effective enforcement provisions.

"Young Americans are horrified," Linfield said, "by the spectacle of a group of hoodlums, aided and abetted by law enforcement officials in Georgia, murdering a young American Negro."

Facts Behind Brutal Ga. Lynching Revealed

Special to ANP

IRWINTON, Ga. — Still shocked and grief-stricken over the lynching of their husband, father and brother, the family of Calib Hill says it hopes to leave Georgia soon and move to New York City.

At present, the family's address is Box 255, McIntyre, Ga. but the post office is a small country store and freely open to the local whites. In addition to fearing interference with their personal mail, the members feel that they will be put on the spot if they receive newspapers with revealing information.

It has been revealed that several months ago, after hearing the Rev. D. T. Pitts preach, Hill said jokingly, "When I die, I want the Rev. Mr. Pitts to preach my funeral."

That wish was carried out at the Bald CME Church in Jeffersonville, Ga., on Sunday.

Reported to Have Killed 2

Other information is that Sheriff George Hatcher has killed two colored persons within a 14-month period, each time in "self defense," according to a mortician in a nearby town.

Hill's father, a 69-year-old invalid, was injured when hit by a car on the highway in 1944. The family is composed of five daughters, five sons. All finished the Irwinton Elementary School and Mrs. Inez Austin, an attractive sister, finished Hudson High School in Wisconsin in 1946.

Hill, who had a wife, Jessie, and three children, the youngest 2-months-old, worked as a chalk miner, as do most of the colored men of the county.

Some farm or work at saw mills as do his brothers, Whitt, Willie, George, and Elijah. Elijah is a veteran of the Pacific. The others, including Calib did not serve.

Not Liked by Whites

Whitt was in the juke joint at the time of the tussle, but ran with all the others when Hill grabbed the sheriff's gun.

Nicknamed "Pinky Pie," he was known as an independent, non-submissive person who "spoke up to white people." It was generally known that he might have trouble with white people at any time. They generally didn't like him.

Witnesses Story Differs

He is belived to have grabbed the sheriff's hand because he thought he was going to shoot him. The sheriff had insisted to the press that Hill grabbed his gun and shot at him. Witnesses say this is not true.

Hill's good friend, I. W. Weeks picked up the gun as it fell to the floor and ran with the rest.

The sheriff was given a gun by the proprietor when he yelled for it, and finally subdued Hill and handcuffed him. He took Hill to Jail, located upstairs over his home and reached by a back entrance, and as he said, went out after his gun. (Several people doubt that Hill ever reached jail.)

Witness, Wife Beaten

When and where he got reinforcements were not disclosed in the sheriff's first statement.

Weeks declared that about 2 a.m. Sheriff Hatcher, four uniformed Georgia State Highway Patrolmen, a deputy and Chief of Police Fountain of McIntyre, Georgia (the juke joint and Hill's home are located near McIntyre) came to his house and beat him into telling where he hid the sheriff's gun.

He says they not only ransaked his house, but also slapped his wife and pulled her out of bed by the leg, wrenching her ankle.

Weeks got the gun from a hollow stump.

The sheriff's wife said she heard someone going up the steps while her husband was out looking for his gun but thought it was he coming back.

Sheriff Hatcher declares thinks that he is in the habit of leaving his keys on the kitchen table so that the highway troopers can get them if they want to lock anyone up during the night without disturbing him.

Cellmate "Unable" to Talk

The colored jailer of the jail, John Payne, actually carries a key to the jail.

Hill's cellmate, Tom Carswell, allegedly told the sheriff that "two heavy-set white men" came to the cell by matchlight and ordered Hill out.

Not once has Carswell been questioned unless the sheriff, the coroner, C. C. Thompson, a state trooper, or a deputy have been present.

When a Macon News reporter tried to question Carswell, he was reluctant to talk. When Carswell was asked whether he could identify the men, the coroner didn't give him time to speak before he practically answered the question for him.

The man is naturally scared to death. He is in jail for shooting at another colored man in Toombsboro, Ga.

Two white men found Hill's body on Highway 127, the Dublin-Jeffersonville Highway at 8 p.m. The body was accompanied to the home by Sheriff Hatcher in a truck at 10 a.m. It lay there until 12:30 p.m. until an undertaker from Tombsboro came for it.

Strange Things Happened

Hill's shoes show signs of having been scraped over pavement all scratched. His coat, hat billfold, have not been found!

Hill owned a 1948 shiny Ford car. It was mysteriously burned while parked one night only a month ago. Indicative of the feeling against him, he paid several large fines for minor traffic offenses.

He was given an 18-month suspended sentence a year ago for a "run-in" with a white man after an accident. He left town for a month then fearing for his safety. Only one month ago, he had an argument with two white men, Fred Bruer and Grover Lavender, almost coming to blows. His family said the men had let it be known that they intended to "get" him.

He left the county for two weeks, going to Macon, until he thought "feeling had died out" and had been home only two weeks before the lynching.

GEORGIA MAN DRAGGED FROM JAIL, LYNCHED

Jail-Cell Version Gives Little Clue

IRWINTON, Ga. — (INS) — Agents of the Georgia Bureau of Investigation Monday night were asked to join in the search for two white men who lynched a Negro prisoner near Irwinton early Monday.

A rumor that the victim had killed Sheriff Hatcher may have resulted in the mysterious execution of mob rule.

Indications were that 28-year-old Calib Hill, Jr., was dragged from his cell in the Wilkinson County jail under eerie glow of lighted matches and with but two words being spoken.

Those words were: "let's go!"

Tom Carswell, a Negro cell-mate of Hill, told a coroner's jury that two "heavy-set" white men abducted the victim without saying more than the terse order.

Carswell said he was unable to recognize either of the men because there was so little light.

Hill's bullet-cut body was found early this morning on a Sandy Creek Roadside, about three miles from Irwington.

Dr. W. M. Puckett informed a coroner's jury that Hill's death resulted from a bullet wound in the head. The Negro also was shot in the left shoulder.

TRADITIONAL INQUEST

The Inquest decided that Hill had been murdered "by bullets fired by unknown hands."

Sheriff Hatcher said the victim was removed from the jail cell sometime between midnight and 2:30 a. m. During that time the sheriff was looking for his gun which Hill had jerked from its holster.

The sheriff said that after he returned from the Roadhouse a second time after searching for his pistol, everything was quiet at the jail.

Ballistics tests in Hill's shooting were delayed meanwhile, when Hatcher declined to order Dr. Puckett to remove the bullet.

The sheriff explained the procedure would "cost a lot of money."

He explained the county commission would have to bear the medical expense unless the bullet removal was ordered by higher authority.

The body of the victim, known widely through the county as "Pickyple" Hill, was found shortly after dawn by two young farmers, Harold and Howard Toler. They reported their discovery to Hatcher.

SHERIFF ALONE, HE SAYS

Hatcher had struggled with Hill for possession of the gun when he arrested the Negro in connection with a stabbing at a Roadhouse.

The sheriff recalled:

"I was fighting for my life among about a hundred of them (Negroes) and not one came to my assistance."

The sheriff explained that the disturbance resulted in several white men coming to the Roadhouse. He recalled one of them as saying:

"Where is he?"

Hatcher explained that he informed the men he was taking Hill to jail and intended to put him safely behind bars.

When Hill was in jail, the Sheriff left his keys, he said, on the dining room table, and the door to his quarters unlocked on the first floor of the jail.

He then returned to the Roadhouse, a Negro night spot known as Cicola's Place. He said he thought he would return in such little time that is was unnecessary to lock his quarters where Mrs. Hatcher and their two daughters were sleeping.

Mrs. Hatcher said that "sometime during the night," she heard sounds but assumed that it was the sheriff

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Think This Picture Ugly? Well, So Is Lynching!

Do you think this picture of Caleb Hill, lying bruised and mutilated in death on an undertaker's slab offensive?

We hope so.

He was lynched, and the act that brought about his death should be just as offensive to you.

The criminal indifference that made possible this crime in Irwinton, Ga., last week, the in-bred hatred that inspired it, and the disregard for law that caused it are enemies of this nation as great, as fearsome as those for whom we nurture the atomic bomb — and presently more real.

Hundreds of representatives of the majority millions of the American people who were sent to Washington not long ago were instructed to enact legislation that would stop, or certainly discourage through federal punishment, crimes of this sort.

Many have forgotten, or intentionally ignored the pledge against lynching — and others, too — to which they committed themselves when seeking the votes of their fellow-citizens.

This ugly picture of Caleb Hill on an undertaker's slab in Georgia should be a reminder that haunts them.

It should recall that in Philadelphia, the cradle of our democracy, a small group of men, moved by the conviction that "liberty, justice and equality" is more than a catch phrase, held to that belief and won approval of a political party.

It should call to mind that a man described as "little," fighting against the odds of statisticians, committed himself time and again—and still clings to a belief in what we call civil rights, and won the overwhelming endorsement of his fellow-American by his dogged tenacity and his refusal to compromise his convictions.

It should be a reminder, too, to those who elected these representatives — in both the House and the Senate — that the cause for which they cast their votes has been betrayed by a clique representing a minority.

WHEN WILL YOU DO SOMETHING ABOUT THIS?

Arrest Two As Friends Jam Little Church For Rites Of Lynch Victim

By RUSS J. COWANS
Staff Correspondent

JEFFERSONVILLE, Ga.—The bullet-riddled and badly-beaten body of Caleb (Picky Pie) Hill, Jr., first lynch victim of 1949, was buried Sunday beneath the soil of his native Georgia.

Hill was taken from the unlocked jail in Irwinton, between midnight and 2:30 a. m. Memorial Day by two white men while Sheriff George C. Hatcher was absent. He had been arrested by the sheriff following a disturbance at the New Harlem club, three miles from Irvington.

His body, with three bullets in it, was found by two white men Monday morning.

Less than 12 hours before the funeral services in Bald's CME church, near here, Hatcher and Lt. M. H. Spurlin of the Georgia Bureau of Investigation, disclosed that two white men had been arrested and held on charges of suspicion of murder in the lynching of Hill.

The two men were identified by the officers as Dannie Lamar Purvis, 37, operator of a cafe and grocery in McIntyre, and Malcolm Vivian Pierce, 27, a McIntyre electrician. McIntyre is five miles north of here.

The little weather-beaten church in Bald was crowded with friends and relatives of the slain man, many from Irwinton, Jeffersonville, Dublin, Macon, and Atlanta, to hear the sermon preached by the Rev. D. S. Pitts, pastor of the church. Burial was in the cemetery two miles away.

A special guard of state highway patrolmen was sent to the church on a protective assignment. The body was brought to Bald early Sunday from the Whipple Funeral Home in Tamboro, six miles from Irwinton.

Family In Quandary

"What're we going to do now," sobbed Mrs. Josie Hill, widow of the lynch victim, as she huddled her three small children under her protective arms.

Hill was not only the support of his wife and three children, but also of his 70-year-old father, Caleb, and three sisters.

"Picky Pie was a good boy," said the older Hill, whose right leg was seriously injured in an automobile accident five years ago. He now walks with a crutch.

"That boy never did anything to anyone," the father continued. "He just stood up for his rights."

This statement was echoed by his brothers, George, Elijah, Willie and Whit. Also by his five sisters.

"Impudent To Whites"

Old residents of Irwinton, who had known Picky Pie all his life, supported the statement of the elder Hill. "Picky Pie was just a fellow who was what the southern white men called 'impudent' because he would talk back if he thought he was right," said one old greybeard.

Some said that he had had an argument with some white men a little over a year ago, and had fired a shot at them. Further, his purchase of a 1946 Ford had not helped to smooth his way, according to relatives. The car was demolished by fire while he was driving it several months ago.

Hill had been working in the chalk mines near Irwinton during the past nine months. Before that he was employed in an Irwinton saw mill, and from his wages had built a little home in which he lived with his family, father and sisters.

Quit School Early

He had to quit school in the seventh grade to go to work and help his father on the farm. He was born in Irwinton 28 years ago.

Two young white farmers—Howard and Harold Toler—found the bullet-ridden and badly-beaten body next to a wooden structure, a beer hall and "juke joint" owned by Bud Dixon, white.

Sheriff Hatcher, who had arrested Hill at the New Harlem club, owned and operated by Mrs. Ceola Parker James, said Hill had been mysteriously whisked from the Wilkinson County jail in Irwinton by two white men after Hatcher had returned to the New Harlem club to look for his gun, which he had lost in the tussle with Hill. Hatcher said a rumor had spread from the club that he had been shot, and state patrolmen from Dublin were at the jail when he arrived with Will in custody.

Careless With Keys

The fact that Hatcher returned to the jail with Hill dissipated the rumor that he had been shot.

The sheriff said he left the keys to the jail, which is upstairs over his living quarters, in the dining room of his home. He then left with state patrolmen and Chief of Police J. A. Fontain of McIntyre, the adjacent community, to look for his gun.

He returned home about 2 a. m., and went to bed without checking the jail. Next morning before he got up, he heard a man telling his wife a body had been found. The jail keys, according to Hatcher, had been placed on top a safe in the kitchen where he usually keeps them.

Mrs. James said Hill had come into her place, three miles from Irwinton on the Old Irwinton road, Sunday night after a ball game on a diamond she and her husband, James, have prepared on their land.

Argued With Friend

Late that night Hill had an argument with Ned Burney, a life-long friend. She said Hill knocked Burney down and stabbed him before the victim got away and went to Irwinton and returned with the sheriff.

After the sheriff had put handcuffs on Hill and taken him outside, he returned to question witnesses. It was while he was talking to patrons of the club that Hill came back into the place, grabbed the sheriff's pistol and fired a shot at him, the bullet missing the sheriff.

The sheriff and Mrs. James said Hill then grappled with the sheriff after dropping the gun. James is alleged to have given the sheriff another gun, and Hill was marched off to jail.

Mrs. James, mother of six child-

ron, is buying the 56-acre plot on which she operates the New Harlem club. Just like other Negroes who live in Irwinton, Mrs. James does not want to antagonize the sheriff. This would be detrimental to future business.

Tom Carswell, Toomsboro Negro who was in the same cell with Hill, told a coroner's inquest Monday that Hill was taken from the jail by "two white men" who were unmasked. Carswell said the men told Hill: "Come on, let's go." Hill made no resistance and did not make a plea for his life, according to Carswell, who is serving time for shooting another Negro in the heel.

Carswell said he could see the men plainly. He also said that he knows "just about everybody around here," but he did not recognize either of the men.

Carswell wants to live in Toomsboro when he's released from jail so he does not recognize the men.

But Carswell was only expressing the fear that has smothered other Negro residents of Irwinton. Most Negroes, when questioned, just shrugged their shoulders and moved away.

One Negro, who refused to tell his name, said Sheriff Hatcher had killed a Negro, Caleb Harris, last year.

A Southerner TALKING

by LILLIAN Smith

The Defender, Chicago Ill.

Another crime against human life and dignity has smeared old Georgia's reputation. When, when will we say, "This is the last!"

Public opinion is changing down here. The lynching was written up in the Atlanta papers. Quietly, without hiding one ugly fact, it was promptly reported. And every one reading, must have felt less comfortable when he went about his business that day. Women drinking their morning coke at the town drugstore must have felt less pleasure as they sat there. Politicians must have been less sure of themselves and their words. But until Southerners are willing to give up their belief that "segregation is here to stay," lynchings, symbolic rites of segregation, will go on, on, on. Only a few, yes; but it is their significance that is so deadly a poison to the human spirit.

I find myself saddened by the news of Mrs. Channing Tobias' death. I knew her so slightly, but I liked her so much. I have always thought of the Tobias family as one of Georgia's finest. Dr. Channing Tobias has a quality of mind and spirit that is distinctly southern in the best sense of the word. He is truly a gentleman, courteous, gracious, aware of the infinite nuances of the human spirit, with that special sense of humor that is a rare flower in the South but is not found elsewhere. He is a tough personality, tough and wiry, like a hemp rope. I don't think of steel when I think of Dr. Tobias but of something that can bend and give an inch here, an inch there, and then can suddenly pull ten yards in the opposite direction.

I think he has had a powerful influence in changing the southern white mind. He has never lost his sympathy for white southerners who are trying to pull away from tradition, trying to wriggle out of a steel trap that their forefathers put them in. He knows they are in a devil of a fix. He knows that a Negro born into a white family would behave exactly like the white folks behave. I have never felt that he romanticizes a black skin, or hates a white one.

He is far more mature than that. I think of him with affection and gratitude because he helped me on my 'way up' and out of a trap. I met him first at a church conference at Paine College in Georgia. It was the second time in my life that I had ever eaten with a mixed group. I was still consciously breaking taboos. I shall never forget his eyes smiling humorously at me. It was so nice not be sneered at, as sometimes Negroes feel they must do, when a white person is trying to learn to be decent and human. Ever since then, he has helped me through the rough spots on this interracial journey. Once in New York when a group of commies, knowing I was not going to play ball with them, gave me the "treatment" in the press and forums. Another time, when some stuffed shirts of the Negro race also gave me the "treatment." These times one remembers.

Yet, never has Dr. Tobias been a compromiser. He knows what he wants for himself, for his race, for the whole human family. But he has never forgotten that even the white South belongs to this human family.

— where a Negro was taken out of jail and shot to death, is only too familiar in detail. The fact that the crime of lynching is almost at the point of disappearance makes the Georgia occurrence all the more shocking. Last year there were, by Tuskegee Institute's statistics, only two lynchings in the entire country. Both, significantly enough, were in Georgia, where white supremacy is a deliberate rallying cry for political advancement. This is the state where a ragtail version of the Ku-Klux Klan has again come to life, a new and more subtle Talmadge is Governor, and a disturbing pattern of racial violence is developing. It is a state of violent contrasts. The prejudices of the forks of the creek account for lynchings, although Atlanta refused to be upset by the professional appearance of Jackie Robinson and more recently forbade parades by masked nightshirts. But the recent monopoly on lynchings is the focal point.

The Talmadge brand of progress, for all its intelligent efforts to make Georgia a better state, is devoted to white supremacy. Governor Herman Talmadge was elected on that platform, and he has moved fast and shrewdly toward establishing a political dynasty on this reprehensible basis. Elsewhere the Negro is gaining the vote, and making himself heard. The white primary has been abolished, thanks to the courts; the poll tax is generally fading; Negroes are being elected to city councils, boards of education and so on. But in Georgia the right to the ballot is being contracted, not expanded. By eliminating the voters' lists and requiring all to register anew, most of the 120,000 Negro voters will be dropped somewhere along the line. The prospective voter is being required to read the Constitution "intelligibly," write it "legibly," or else respond satisfactorily to a statutory list of questions on government. In practical operation, the scheme effectively discourages the Negro, and the Talmadge organization makes no bones about it.

The affair in the Irwinton jail was unspeakably crude by comparison, but equally callous. Both are equal denial of the protection. Whether by bullet of statute, the repressive effect is the same. One encourages the other; the coincidence is inevitable. Georgia has gone backward.

Two in Georgia Lynching Freed By White Jury

New York Herald Tribune

Ruling Holds Evidence Is Insufficient; Negro Was Taken From Jail, Shot

IRWINTON, Ga., June 14 (AP).—An all-white grand jury today freed two white men of any guilt in the lynch-slaying of Caleb Hill, jr., twenty-eight, a Negro.

The jury, after an all-day investigation in this rural Georgia County seat, ruled there was not enough evidence to bring the men to trial.

Dennis Talmar Purvis, thirty-seven, cafe operator, and Malcolm Vivian Pierce, twenty-seven, electrician, had been held for nine days in the jail from which Hill was taken and shot to death May 30.

Hill's widow swore out murder warrants against the two white men, Georgia Bureau of Investigation Agent H. M. Spurlin, Sheriff George Hatcher and Solicitor C. S. Baldwin said before the investigation they were "sure" they had enough evidence to obtain some indictments.

The grand jury heard twelve witnesses, including law enforcement officers and three men who were in the jail when Hill was seized.

Solicitor Baldwin said the combined investigation of local, state and Federal officers had produced indications that one of the three in the jail, W. F. Walston, could identify the men who opened the door to Hill's cell and said: "Come on boy, let's go."

Falston was being held on arson charges, for which he was convicted in near-by Twgigs County yesterday, Solicitor Baldwin said. He added that Walston's statement was not backed up by others in the jail.

Before retiring into privacy, the grand jury foreman, a preacher, prayed for "justice without prejudice

stabbed another Negro.

Solicitor Baldwin emphasized that the investigation had removed any question of doubt" about Sheriff Hatcher's blame in the lynching. "Most Georgia sheriffs would have shot the Negro instead of taking him to jail," Solicitor Baldwin added.

The sheriff said Hill managed to get his gun in the scuffle and fired at him. The sheriff put Hill in the jail and went back to look for the pistol. While he was away, Hill was arrested by Sheriff Hatcher at a roadhouse. Sheriff Hatcher said he had been called to investigate a report Hill had

OTHER Papers Say

Irwington, Ga., Observes Memorial Day Typically

(From New York Herald Tribune)

Georgia is again in disgrace. The flagrant incident at Irwinton

Wilkinson Grand Jury To Probe Hill's Lynching

The World (27a) Atlanta, Ga. Sat. 6-4-49

MILLEDGEVILLE, Ga. — (SNS) — The lynch-slaying of 28-year-old Caleb Hill will go before a special session of the Wilkinson County Grand Jury on Monday, June 6.

6-4-49

The call for the session was issued Friday as the nation's indignation mounted over Hill's death which marked the first lynching of 1949. A lynching according to the research department at Tuskegee Institute is official when two or more persons are involved.

6-4-49 (27a)

In Atlanta, Gov. Herman Talmadge said that no reward has been posted for the lynchers of Caleb Hill. This answer came in reply to a question asking if the Governor's office had offered a reward for information leading to the arrest and conviction of the lynch-slayers.

The Irwinton lynching came in for a blast from Homer Chase, who is on trial in Atlanta for allegedly threatening Evans Wilder, who is seeking a peace bond against Chase and the Communist Party.

6-4-49

Chase charged the Federal Bureau of Investigation with having "put its stamp of approval on the Walton County lynchings and on the murders in Brunswick jail."

(27a) 6-4-49

Chase accused the FBI of playing a "reactionary role in politics in the nation and in the South."

Lynching—America's Shame—Help Stop It!

(27a) 6-5-49 Ga. Sun. 6-5-49

Caleb Hill, Jr., was dragged from a jail cell and lynched. To date, no one has been identified in connection with it. Other Negroes will be lynched in the same manner, unless you resolve here and now that there is something you can do personally to stamp out this diabolical blot.

Atlanta Ga

Here is what you can do: Sit down right where you are and write asking that Congress remain in session until adequate anti-lynch legislation is passed to secure the civil rights of Negroes.

Here's who to write:

Sun. 6-5-49 (27a)

(1)
Hon. Scott Lucas
Senate Majority Leader
Senate Office Building
Washington, D. C.

(2)
Hon. Sam Rayburn
Speaker of the House
Housing Office Building
Washington, D. C.

(3)
Hon. William L. Dawson
House Office Building
Washington, D. C.

(4)
Hon. Hubert Humphreys
Senate Office Building
Washington, D. C.

Don't say "There's nothing I can do." That's the argument of the defeatist. Act Now! Write these leaders today! Lynching must go or America will become a second-rate power in world influence!

No Progress In Finding Of Lynchers, Reported

Atlanta, Ga. 6-5-49

BY C. W. GREENLEA

Caleb "Picky Pie" Hill, 28-year-old Wilkinson County victim of mob violence will be buried today after his funeral in the Bold C. M. E. church in Jeffersonville, Georgia at 3 P. M.

Hill, after hearing the Rev. D. T. Pitts preach several months ago, had jokingly told his family, "When I die I want Rev. Pitts to preach my funeral." His wish will be carried out this afternoon. (27a)

The young chalk miner who was whisked out of the Wilkinson County jail at Irwinton early last Monday morning, and later found on the Dublin-Jeffersonville Highway No. 127 with three bullets in his head, will be mourned by a large family and a host of sympathizers. Reports Saturday indicated that several delegations from other cities including Atlanta and Macon, would attend the funeral.

Hill leaves a wife, Mrs. Josie Hill, 20, and three children ages 2 months to 9 years. He has five brothers, five sisters, and a 69-year-old invalid father.

Sun. 6-5-49

NO PROGRESS REPORTED

No progress in the finding of his lynchers was reported to date. Sheriff George Hatcher, who figured in a tussle with Hill at a juke joint on Sunday night before his death and locked him in a jail at Irwinton, announced to the press Thursday, "I think maybe I'll have something before long." One of the bullets, extracted during an autopsy in the Hooper Funeral Home in Toombsboro, had been sent to Atlanta for examination by the Fulton Crime Laboratory.

Meanwhile, The Atlanta Daily World released information gathered in an on-the-spot investigation by its representatives which revealed new angles to the case that varied sharply with reports attributed to Sheriff Hatcher.

The WORLD cited the following information as significant:

Atlanta Daily World 6-5-49 (27a)

1. Sheriff Hatcher had said that his first knowledge of the lynching was at 8:30 a. m. on Monday morning when he was awakened by a telephone call. The Negro had been arrested for causing a disturbance in a Negro night club and was accused of firing a gun at Sheriff George Hatcher who had come to arrest him.

crete surface. His hat, coat and billfold have not been found.

6. Hill had an argument with two white men only a month ago, the men being identified as Grover Lavender and Fred Bruer. He had feared for his life, friends and relatives said, and had stayed in Macon two weeks, returning to McIntyre only two weeks before his death. They said he stayed until he thought "feeling had died out."

7. Hill owned a shiny 1946 Ford which mysteriously caught fire and burned up while it was parked a month ago.

Hill's slaying was termed the first clear-out lynch case of the year. One case of a Negro who was killed by two white men near Macon on the Ocmulgee River, and another Sam Terry, who was killed in jail at LaGrange, Georgia earlier in the year, were not as obvious "lynching" as was the case of Caleb Hill.

Another Shameful Blot

Atlanta Daily World

Once again the South has suffered the disgrace of a lynching. And once again the act occurred in Georgia. A band of men took a Negro from the jail in Irwinton and shot him to death. The whole nation is shocked again by the sickening news. And, furthermore, the event will give the unfair press of the satellite nations and of Russia another subject for exploitation.

Wed. 6-7-49

The story told by the sheriff is not pleasant. He arrested the Negro after a scuffle in which he lost his gun. After putting his prisoner in the county jail, which is on the second floor of his home, he went back in the darkness to look for the gun. While he was gone, two or more men entered the unlocked premises and took the Negro away to his death.

Hill Burning

So far no one has come forward with a wholly coherent story of why this man was marked for killing. The arrest seems to have been a routine one. There is no charge of attempted rape or killing of a white person.

The Post-Birmingham, Ala.

This is the first lynching on record for 1949. The South had hoped that there would be no such blot on its reputation ever again.

Each such episode arouses the clamor of agitators in other sections for federal regulation. The whole South suffers for the evil deeds of a few of its citizens who flout justice and humanity.

Wed. 6-7-49

Sheriff Not Sure About Lynch Reward

Atlanta Daily World 6-5-49

Sheriff George Hatcher of Irwinton, Ga., was questioned via telephone Saturday by the Atlanta Daily World as to whether he intended to request Gov. Herman Talmadge to offer a reward in connection with the lynch-slaying of Caleb Hill.

Sun.

Sheriff Hatcher stated "We've been too busy down here trying to find the guilty parties. I guess we will though. We may ask folks down here to offer a reward. I have been much too busy to ask Gov. Talmadge to offer a reward ..... but he has his men down here. Please don't misquote me."

(27a) 6-5-49

Gov. Talmadge was quoted in Atlanta as stating that no reward had been posted by the state for the slayers because he had received no request to do so. He said it was the custom of law enforcement officers to request rewards.

Georgia Has Another Lynching

Atlanta Daily Tribune

Georgia, which had the only two lynchings in the Nation last year, registered another black mark against its shameful lynching record yesterday when a young

7850

The Sheriff's story is that while he returned to the roadhouse to search for his gun which he said had been lost in the scuffle, the Negro prisoner was taken from his cell by two men. The wide-awake Sheriff did not know anything about the disappearance of the prisoner until the next morning when he was called to identify the body.

All he knows was that when he first heard about the lynching, he "thought of the Ku Klux Klan but no one remembers seeing anyone hooded around town."

The Georgia lynching, as have been the rest in the past, is a shameful exhibit of a lapse into barbarism or savagery. There was no excuse for it and none can be accepted. Georgia took another step backward.

Bullets, Tire Tracks Chief Clues in Hunt for Georgia Lynchers

IRWINTON, Ga., June 2—(AP)—Two bullets and fragmentary tire tread marks were investigators' chief hope today for a solution to the lynching of a young Negro.

The bullets were removed from the body of 28-year-old Caleb Hill, Jr., taken from jail early Monday and lynched. The tread marks were near the spot where the body was found.

Sheriff George Hatcher said he and agents of the Georgia Bureau of Investigation have no definite suspects at present, but "I think maybe we'll have something before long.

"I have some guns in mind I want to check those bullets against," he added.

Investigators continued their search for someone who might have seen or heard something which would lead to the killers.

The body was found in clear view of two highways, near Irwinton.

Hatcher had arrested Hill after a tussle in a Negro roadhouse. During the scuffle, Hill managed to get Hatcher's gun and shot at him.

The sheriff said he took the Negro to a cell at the Hatcher home and returned to look for his gun lost during the roadhouse fight.

During his absence, two men entered through an unlocked door, picked up the jail keys from a table and whisked Hill away, Hatcher added.

Hill was married and had three children. His sister said he had some enemies—white and Negroes—who didn't like it because he owned a 1946 automobile.

The Lynching in Georgia

To the New York Herald Tribune:

The news that a Negro, Calif Hill Jr., was lynched at Irwinton, Ga., [illegible] we have a lot [illegible] America a decent place for all our citizens. As frequently happens, the sheriff put no obstacle in the way, to put it charitably, by absenting himself from the jail and leaving the key to the cell in plain sight.

While the horrible crime of lynching takes place much less frequently now than before the National Association for the Advancement of Colored People began its educational and political work, we clearly need a Federal anti-lynching law to stop it. To get such a law experience shows that we have to pass it over a filibuster conducted by the Dixiecrat Senators, and that requires adoption of cloture by the Senate by a two-thirds vote.

Unfortunately, a substantial majority of Republican Senators voted earlier this year against the ruling of Vice-President Barkley intended to make it easier to adopt cloture, stop a filibuster and pass Federal civil rights legislation such as an anti-lynching bill. Consequently, though a majority of Democrats voted for it, including, of course, all the Fair Deal Democrats, Vice-President Barkley's ruling was overturned, and the filibuster as a minority weapon was strengthened not weakened, so that it will be even more difficult than before to enact Federal civil rights legislation. Despite the gains made by the Fair Deal Democrats in the last election, Congress still has a majority for the reactionary side whenever the reactionary Republicans combine with the Southern Dixiecrats, as they often do. So it is not surprising that President Truman has not been able to get much of his program adopted. ALFRED BAKER LEWIS.

New York, June 1, 1948.

Jailed in Georgia As Lynch Suspects

Grocer and Electrician Are Held in Negro's Death

IRWINTON, Ga., June 6 (AP)—Two white men are in jail here charged with suspicion of murder in the lynching of Caleb Hill Jr., a Negro.

Sheriff George Hatcher identified the men as Dennis Lamar Purvis, thirty-seven, operator of a cafe in McIntyre, and Malcolm Vivian Pierce, a McIntyre electrician. They were arrested Saturday. McIntyre is a small community five miles north of here.

The Negro was taken from the jail here a week ago, and was found beaten and shot to death a few hours later. Sheriff Hatcher had arrested Hill May 29 at a Negro roadhouse. He said he had received a report Hill had stabbed another Negro. During the arrest, he said, Hill took away his gun and shot at him. The sheriff said another Negro gave him a gun, and he took Hill to jail. Sheriff Hatcher returned to the roadhouse to look for his pistol, and while he was away, he added, Hill was taken from the jail.

The sheriff said earlier he thinks more than two men were involved in the lynching.

TOWN TAKES LYNCHING WITH INDIFFERENT AIR

Negro's Death 'Under Active Study,' FBI Declares

IRVINGTON, Ga., May 31.—(AP)—Police hunted the lynchers of a negro Tuesday, but residents of the town showed little interest.

Two agents of the Georgia Bureau of Investigation came to help Sheriff George Hatcher look for the men who took Caleb Hill Jr. from the jail Sunday night, beat him and then shot him to death.

There was a general air of indifference among the white people in this country town of less than a thousand.

One man said, "It didn't upset a checker game." Another shrugged off the lynching by saying, "It's just a negro."

Sheriff Hatcher reported two bullets were recovered from Hill's body Tuesday. The negro had been shot three times, Hatcher said, instead of only twice as first reported. One of the bullets went throught the side of Hill's head.

Hatcher said the slugs will be measured to determine the kind of weapon used to kill the negro.

"I have some guns in mind I want to check those bullets against," the sheriff continued to elaborate.

Part of a tire tread mark was located where Hill's body was found, he added, but it was badly disfigured.

In Washington, the Justice Department said the circumstances surrounding Hill's death "are under active study." The FBI district office in Atlanta had no comment.

Hill, 28-year-old breadwinner for a family of nine, was arrested Sunday night by Sheriff Hatcher after a disturbance at a negro roadhouse. The Sheriff said Hill managed to get his (Hatcher's) pistol and fired at him.

The sheriff said he lodged Hill in a cell on the second floor of his residence, and went back to the roadhouse to look for his pistol.

While he was away, Hatcher said, two white men entered through the unlocked front door, found his jail keys on a table and took Hill.

Young Negro Lynched in Georgia

IRWINTON, Ga.—(AP)—A young Negro was taken from a jail cell in the sheriff's residence early Monday and shot and beaten to death.

The Negro, Calif Hill, Jr., 28, was arrested after a disturbance about midnight at a Negro roadhouse. Sheriff George Hatcher said Hill had seized his gun and fired at him when he arrested him.

The sheriff said Hill had "the worst reputation I'd ever heard of" and that he had arrested the Negro several times before.

* * *

AFTER PLACING Hill in jail, the sheriff called State Troopers and went back to the roadhouse to get his pistol, which had been taken from him in the scuffle.

Two unmasked white men then slipped into the jail on the second floor of his home and took Hill, Hatcher said.

Hatcher had left his keys on the table in the dining room of his home. His wife and daughter were asleep in downstairs rooms.

* * *

ANOTHER NEGRO prisoner in the jail, Tom Carswell, said he saw the two men enter, and "they really looked like they were coming to get Hill."

Mrs. Hatcher said she heard a car drive up to the jail and a door slam, but thought it was her husband returning.

A six-man coroner's jury ruled that Hill "came to his death by gunshot wounds, being shot through the head by hands unknown."

Jail Raiding Probe Clears Sheriff's Kin

IRWINTON — (INS) — The Wilkinson County Grand Jury yesterday refused to indict two white men arrested in connection with the lynching of Caleb Hill, Irwinton Negro. The two men were dismissed.

The Grand Jury returned a no bill after considering the case against Dennis L. Purvis, 37, and Malcolm V. Pierce, 27-year-old nephew of Wilkinson County Sheriff George Hatcher.

Hill, known in the area as "Pickie Pie" was taken from the Irwinton jail May 30. The chalk miner was shot to death.

Hill's widow, mother of three children, swore out murder warrants against Purvis and Pierce. The GBI had forecast true bill would be returned.

Before the Grand Jury left to consider its verdict yesterday Judge George Carpenter had charged it that "The law can take the life of no man, regardless of color, without a fair trial."

Judge Carpenter added:

"The well springs of morality lie deep within Wilkinson County citizens. This County began a century and a half ago under the promise that people would live under rules of law—not rules of men.

"This Grand Jury meets to administer justice. It will have the full co-operation of the Court in its investigation."

Purvis and Pierce were arrested by the GBI several days after Hill's death.

Sheriff H[illegible] said the lynching might have been a "mistake" resulting from a false rumor that Hill had killed him. Hatcher arrested Hill on the night of May 29 for allegedly stabbing another Negro. The Sheriff said his pistol was jerked from its holster by Hill in a scuffle and a shot was fired.

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Georgia Negro Taken From Jail, Lynched

Daily Worker 7-4, 5-9, 27a

June 5-31-49

IRWINTON, Ga., May 30.—A Negro prisoner was taken from the Wilkinson County Jail here during the night and shot or beaten to death, Sheriff George W. Hatcher said today. Hatcher said the body of Caleb Hill, Jr., was found by the side of a road about three miles from the Wilkinson County Jail. Irwinton is about 25 miles east of Macon, Ga.

In Tuskegee, Ala., Mrs. J. P. Guzman, director of records and research at Tuskegee Institute said that on the basis of the facts as given to the press she would call Hill's death a lynching.

Hill had been arrested by the sheriff a few hours earlier on a charge of stabbing a Negro.

5-31-49

Negro Lynched From Home of a Georgia Sheriff

N.Y. Herald Tribune May 31, N.Y.

Jailer Absent, Key to Cell on Table, 2 Men Effect First Lynching of 1949

June 5-31-49

By The Associated Press

IRWINTON, Ga., May 30.—A young Negro was taken from a jail cell in the Sheriff's residence early today and shot and beaten to death. It was the nation's first lynching of 1949. 27a

The Negro, Califf Hill Jr., twenty-eight, was arrested after a disturbance about midnight at a Negro roadhouse in Irwinton, a town of 500 in central Georgia, twenty miles east of Macon. It is the county seat of Wilkinson County, a sparsely settled rural area.

Sheriff George Hatcher said Hill had seized his gun and fired at him when he arrested him. The Sheriff said Hill had "the worst reputation I'd ever heard of" and that he had arrested him several times before.

5-31-49

After placing Hill in a cell, the Sheriff called state troopers and went back to the roadhouse to get his pistol, which had been taken from him in the scuffle. Two unmasked white men then slipped into the jail on the second floor of his home and took Hill, Sheriff Hatcher said. The Sheriff had left his keys on the table in the dining room of his home. His wife and daughter were asleep in downstairs rooms.

Another Negro prisoner in the jail, Tom Carswell, said he saw the two men enter, and "they really looked like they were coming to get Hill." Carswell could not identify them. They went out the back door of the house, leaving the keys in the kitchen. Mrs. Hatcher said she heard a car drive up to the jail and a door slam, but thought it was her husband returning.

Carswell, who was in the same cell with Hill, testified Hill made no struggle or plea of any kind when the two white men told him: "Come on, let's go." 27a

Carswell said he knew virtually everybody in this area and that he had never seen the two men before. He said he could not identify them if he saw them again.

Hill's body, badly beaten and with bullet holes in the heart and neck, was found about 7 a. m. by a creek near Irwinton.

A six-man coroner's jury ruled that Hill "came to his death by gunshot wounds, being shot through the head by hands unknown." The slain man's brother George was in the room when the verdict was returned. 27a

Dr. W. M. Puckett testified death was caused by a bullet which entered Hill's head two inches above the left ear and came out two inches below the left ear. Another bullet, he said, was lodged near the heart.

June 5-31-49

Coroner C. C. Thompson said he would not remove the bullet unless ordered to by "higher authority—somebody like the Governor."

"If we had a gun to match the bullet with, or some suspects, it would be different," Mr. Thompson said. "But we haven't got a gun or any suspects."

Takes Sheriff's Gun

Sheriff Hatcher said he went to the roadhouse alone when he received a report Hall had stabbed another Negro. As he was putting handcuffs on Hill in the club, in which there were a hundred others, some one grabbed his gun, the sheriff related.

"Hill tackled me, and the next thing I knew, he had my gun and fired at me. It looked like my days were numbered," he reported. "I yelled for help, and another Negro handed me his gun. I then turned it on Hill and marched him out to my car. I didn't stop to get my gun."

The Sheriff said he wasn't hit by any bullets but that he was bruised and his shirt torn.

"I took Hill to jail and put him in my best cell," he added, "and then left to look for my gun. Some one had thrown it out a window and it took me about two hours to find it in the woods near by.

"When I returned home, I went straight to bed without looking in on Hill. The first thing I knew about his being killed was when I was called to identify a body this morning.

"When I first heard about it I thought of the Ku-Klux Klan, but no one remembers seeing any one hooded around town."

Hill, the sheriff said, previously had been arrested for shooting a small white boy.

First Killing of the Year

TUSKEGEE, Ala., May 30 (AP)—The killing of a Negro at Irwinton, Ga., today was the first of its kind in the United States this year, Tuskegee Institute said.

Tuskegee reported two lynchings and a "borderline case," all in Georgia also, last year. A white tenant farmer, William Turner, of Meriwether County, Ga., was reported lynched in May. The second lynching, Tuskegee said, occurred when Robert Mallard, Toomb County Negro, was shot to death from ambush Nov. 20. His wife blamed robed, unmasked men.

The killing of Isiah Nixon, a Negro, on Sept. 8 was listed as a borderline case because only two white men took part. Tuskegee records a lynching as killings in which three or more persons are involved.

New Angles Uncovered In Lynch Victim's Death

Atlanta Daily World 1-Atlanta Ga

Man Says He Was Beaten, Home Searched

Atlanta Daily World 27a Atlanta Ga.

Investigations Seem To Lead Probers Nowhere

Wed. 6-1-49

BY C. W. GREENLEA

McINTYRE, Ga. — (SNS) — An entire Nation awaits the explanation of the cause for the early morning lynching of a 28-year-old Negro, Caleb Hill, Jr. who was taken from a jail-cell in the early morning hours.

An Atlanta Daily World representative Tuesday, following a series of interviews with Negroes, some of whom were witnesses at the disturbance and consequent encounter between Hill and Sheriff George Hatcher, shed new light on several angles to the lynching episode.

Wed 6-1-49

World representatives examined Hill's clothing Tuesday afternoon and found strong indications from the shoes he wore that he had been dragged for a considerable distance, apparently along a cement road, either before or after he was lynched. The shoes were found to have been scraped severely.

A second important development, hitherto unpublished, is the revelation that at about 1:30 Monday morning, Sheriff Hatcher, accompanied by four uniformed state highway patrolmen, a Chief of Police and a deputy called at the home of another Negro whom they suspected of having possession of the Sheriff's gun.

According to the statement of the Negro and his wife, he was beaten, his home searched, and his wife suffered a wrenched ankle. The Negro informant admitted, however, that he was in possession of the Sheriff's gun and led them a distance of about 50 yards from his house and secured it for the Sheriff.

Unlike the original report of 100 Negroes at the seat of the disturbance, witnesses informed us that there were about 10 and certainly no more than 15 Negroes.

The trouble took place, not at Cleola's Place, but at the New Harlem Club, about two and one-half miles below McIntyre.

Meanwhile, an autopsy on Hill's body was performed Tuesday afternoon by Slater, a Negro embalmer at the Hooper's Funeral Home.

The autopsy was conducted in the presence of Sheriff Hatcher, the Coroner, two state Patrolmen. Two bullets were found, one, lodged in Hill's neck, and the other in his forehead.

The death slugs were turned over to Sheriff Hatcher, who in turn, gave them to Georgia Bureau officials for ballistics tests.

The post-mortem examination at Toombsboro indicated that the lynch victim was shot three times.

Several persons were questioned Tuesday but as yet no clues have been found to explain how Hill met his death.

Lynching Is Hinted In Prisoner's Death

Hatcher made the statement a the F.B.I. reportedly prepared to enter the case to determine whether Hill's civil rights were violated.

Irwinton, Ga., May 31 (U.P.)—Sheriff George Hatcher said today he believed more than two men were involved in the slaying of Caleb Hill, 28-year-old Negro County jail Sunday night, who was abducted from the

Violence Marks Our Pathway

The lynching of Caleb Hill, Jr. at Irwington, Georgia early Monday morning at the "hands of parties unknown," is but another episode in the long chain of lawlessness and violence blanketing the state since the celebrated Walton County multiple lynchings of 1946.

With Hill's lynching, Georgia becomes the first State in the Nation to record a lynching for 1949. Moreover, Georgia leads the Nation in the number of Klan demonstrations. She leads the Nation in the number of floggings, including white victims. And she leads the Nation in a matter of race-baiting and rabble rousing. The one leads naturally to the other.

Who took Hill out of a jail-cell early Monday morning, after a disturbance of such magnitude as that taking place in his arrest, is a question on the lips of every reasonable thinking person. In short, no reasonable or sensible explanation has as yet come out of the lynching. It is even difficult to piece together enough of it to make sense. But the Nation will continue to insist that officials at least, ought to come forward and give some sound argument why, after such a hectic night as he reports, he could not anticipate some trouble, especially after so many patrolmen and other officers were summoned to Irwington.

Hill's lynching is a painful reminder of the need and urgency of an anti-lynching law by the present Congress. Legislators in Washington simply cannot and should not overlook the seriousness of their obligation to initiate prompt action in that direction.

There is no room in America for such action as that at Irwington. Every such act serves to alienate the goodwill of foreign nations and to strengthen the Soviets arguments that the American flag is a symbol of inequality, jimcro and class distinction. Lynchings are re-echoed before the United Nations Assembly in a surprising number of ways.

America cannot be a united Nation as long as one group of its citizens live in security of life, limb and home, while another group lives in constant danger of violence, lynching and mob-rule.

RALPH McGILL

A Lynching And 'The Difference'

Wilkinson County, Georgia, has just supplied the State with its latest lynching violence, and the case is one which provides needed illustration.

Those who seem to regard a lynching as no different from a murder or a gang killing, may look at this one, if there is one such person with a mind open enough to be willing, and see the great and vital difference.

A murder or a gang killing in no way supplants the processes of law. A gang goes out to kill a man, or men, who have in some manner come to be at war with the gang over some illegal enterprise. Or the gang kills a man of whom it is afraid.

The law enforcement agencies and courts are not brought into it until the search begins for the killers and they are caught and jailed. But the law does operate vigorously against crime.

Steps In Wilkinson County, where unfortunately there has been for years a considerable amount of inflammatory, irrepressible writing to create a climate for violence, there was a disturbance in a Negro juke joint.

Now, let's follow the steps taken by the law, duly constituted by the Legislatures of Georgia, and upheld by the courts of the land, providing for police officers, grand juries and trial juries.

There was the disturbance. It was against the law. The sheriff was called to end the disturbance. He went to the scene of the disturbance.

There, according to the reports, he found a drunk Negro. We are not told whether the juke joint sold what made the man drunk, and if so whether it was sold legally or illegally. We are not informed whether it was a notorious joint allowed to operate against the peace and dignity of the law. Anyhow, this man was there, drunk and disorderly.

Arrest The sheriff informed him he was under arrest. The Negro resisted and in the scuffle took the gun away from the sheriff and fired it, whether at the sheriff or simply in a scuffle for the gun, is not yet sure. He probably would have fired it at the sheriff had he been able. But, the sheriff subdued the prisoner. A Negro in the place produced another gun and gave it to the sheriff. One is led to wonder, in passing, why such a joint where men are habitually and illegally armed, has been allowed to exist. Nevertheless, according to the report, the prisoner was transferred to jail.

Law The law had thus operated. Created to keep the peace, it had been called, had found a breach of the peace, and had arrested and put in the legally established jail, supported by tax monies, the prisoner.

The next step was a grand jury indictment, a trial by jury and a verdict. The verdict might have been a sentence to the County prisons or to the State Penitentiary.

The law, made by the people of the County, and the State, was in charge of the prisoner.

The sheriff, according to the report, left the jail and went to look for his gun, which somehow was mysteriously lost after his prisoner was subdued. Why the sheriff's gun disappeared was not established in the report. At any rate, the sheriff was gone from the jail to look for his gun. He left the keys to the cell on a table. The jail, apparently, was a combination house and prison. Anyone who had come in could have used the keys.

While he was gone automobiles appeared. Men got from them, took the prisoner from the jail, removed him some distance away and killed him.

The laws of Georgia were thus violently supplanted and the processes of the law interrupted. Men who were not officers of the law, or members of a jury, killed a prisoner of the State awaiting trial by jury. Federal laws were violated, in that all persons are entitled to trial by jury.

Can anything be plainer than the difference between a gang murder and a lynching? Is it possible to argue this is "just the same as—no different from—a gang killing?"

Defiance Is there any person who can, by any logic whatever, justify the defiance of the law and its processes?

The argument about the gang murders is not logical. They are run down. The huge gangs of the prohibition period were pretty well wiped out. The jails and penitentiaries were, and are, stuffed with them. The war against organized crime goes constantly on. Except where local officers, police, sheriffs and judges, are corrupted, it goes very well. The FBI, because it had integrity, was successful where local law was not. It still is a terror to law violators.

But, never, at any time, did the nation produce anyone, save in the gangs, who apologized for the gangsters.

Lynchings Yet, there are a number of persons always willing to apologize for a lynching . . . to argue that it is no worse than a gang killing—when that is not the point at all. Certainly all of us are excited and aroused and indignant because of murders and gang killings. The law gets after them.

And assuredly we must, as a people, be made to see that defiance of the laws we ourselves have made, by lynchers, is not healthy or good for us . . . points necessary to see in addition to the fact they are morally wrong.

The Ku Klux Klan naturally will be suspected in this latest lynching, which has disgraced the State and nation. Without at all meaning to absolve the Klan, it must be kept in mind that people who act in this fashion would do so even if there were no Klan. The will to murder and kill a human being springs from deeper sources. This latest one is, however, puzzling. It will be interesting to see how its defenders will argue, since it was just a drunk resisting arrest, such as every police station knows almost every week. The racial mores of "tradition" were not involved. Our northern critics have new weapons. The Southerner is without explanation. The murderers are with their consciences.

Georgia Agents Join Hunt for Lynchers; FBI, Justice Department Keep Eye on Case

Special to The

ATLANTA, Ga., May 31 — The Georgia Bureau of Investigation today joined the hunt for the lynchers of a Negro near Irwinton, Ga., and the Federal Bureau of Investigation in Atlanta disclosed it was making reports on the case to the Department of Justice in Washington.

Two agents of the Georgia Bureau of Investigation were sent to Irwinton at the request of Sheriff George Hatcher of Wilkinson County.

In Irwinton, Sheriff Hatcher said there were still no clues to the identity of the lynchers who early Monday took Caleb Hill Jr. from the Wilkinson County jail, beat him and then shot him to death.

Hatcher editorially declared: "Here was a case where the guilty man was in jail. A Wilkinson County grand jury and trial jury were available to act. Yet the mob apparently had no faith in its own juries or jury system. Such violence is inexcusable and unprovoked and had three children. Nine persons were said called for. Such actions, brutally defiant of the laws of our state, dependent upon his move us closer to Federal laws.

The Atlanta Journal asserted:

"This crime will shock the moral sense of the good people of Georgia, it will prove invaluable ammunition to the political haters of Georgia and the South.

Sheriff Hatcher arrested Hill late Sunday night at a Negro roadhouse near Irwinton. The Sheriff said Hill had seized his (Hatcher's) pistol and shot at him as he was taking him into custody. Mr. Hatcher added he took Hill to the jail on the second floor of his residence and then returned to seek his pistol. Hill was taken from the jail while he was seeking his pistol, the lynchers apparently using jail cell keys left on the dining room table.

Hill was married and had three children. Nine persons were said to have been dependent upon his earnings.

In Washington, the Justice Department acknowledged that circumstances surrounding the death are under active study. It did not elaborate.

Meanwhile, townspeople of Irwington were represented as expressing little interest in the case. Irwington has a population of less than a thousand. A newspaper reporter found a air of indifference among white residents there. One man observed, "it didn't upset a checker game." Another commented, "it's just a Negro."

In some other parts of the state, however, the lynching was strongly deplored. The Atlanta Constitution editorially declared: p. 38

No Indictment At Irwinton

A Wilkinson county grand jury was unable to find any grounds on which to return a guilty verdict against two white suspects in connection with the lynching of Caleb Hill, Jr. on the morning of May 30. But we don't think the verdict will occasion any great surprise to anyone, either in or out of the state. For out of a total of 25 lynchings in Georgia since 1930, figures show that there has not been a single conviction.

Incidents like this should prove beyond any single doubt that there ought to be an anti-lynching bill passed during this session of Congress. Failure to pass such a bill means that Congress is unresponsive to the sufferings and fears under which southern Negroes must live.

There is much food for thought contained in a letter published in our columns several days past, when a reader chided Negro leaders for their support of the Democratic ticket in the last Presidential election, only to learn that they like the Republicans before them, have deserted us, both on the matter of an anti-lynching law and on the Civil Rights measures.

As a consequence, she is anxious to know what now? Shall we go on supporting a Democratic or a Republican leadership, or should Negro voters look to some other party? We confess, its a difficult question to answer. Certain it is that neither the Democrats or Republican seem over anxious to achieve anything concrete in this direction. Between now and 1950, it is altogether likely that we shall hear all sorts of sweet promises and eloquence about these things but the Negro voters will demand something more concrete this time. They will insist that no more idle chatter will move them to vote for a candidate whose sincerity is in the least in question. For any Congressman or Senator who is not honorable enough to back up his promises with above-the board action, deserves no part of the Negro voter's loyalty and support.

Present laws covering Civil Rights are wholly inadequate to meet such emergencies as happened in Irwinton. Public opinion in these backward reaches of Georgia is not powerful enough to have any considerable influence upon the people's mind. It is inconceivable that no one knows who the lynchers are at Irwinton. The plain and inescapable fact is there is not enough moral force in the community to demand that the guilty be punished.

GEORGIA LEADS THE LEAGUE

Just as America has its baseball, Mexico its bull fights and England its cricket, the State of Georgia has lynching as its greatest outdoor sport and also its greatest shame.

The better-thinking citizens of Georgia and people throughout the entire world were shocked last week at the callous lynching at Irwinton, Ga., of Caleb Hill, first of 1949.

The pattern was familiar. The "absent" sheriff, the cell keys left conveniently on a table, the usual verdict that the victim met his death at the hands of parties unknown, etc.

Missing, however, was the motive. The virtue of white womanhood had not been assailed. A suspect in an all-colored roadhouse altercation had been jailed after he allegedly shot at the sheriff while resisting arrest—just an ordinary police court case.

Several hours later, his bullet riddled body was found in a wooded area where the lynchers had left it.

When Georgia's voters, two years ago, repudiated Governor Ellis Arnall and put Herman Talmadge in the Governor's chair, they assured themselves of a return to the violence and savagery which had characterized the administrations of Hummon's race-baiting father, the late Gene Talmadge.

Blame for this disgraceful state of affairs is conveniently placed upon the wool-hat fringe of Georgia's rural population but those privileged to look behind the scenes insist that these are merely puppets doing the bidding of moneyed interests in Georgia.

Through such terrorism, it is expected that Georgia's colored population which has shown an increasing appetite for participation in civic and political affairs, will be kept in its place.

The result, we are sure, will be exactly the opposite. Incidents such as the one at Irwinton can and will do more than anything else to unite Georgia's colored citizens in their determination to fight back against these intimidations and violent manifestations of the white supremacy theory.

Lynching as a symbol of racial prejudice is becoming a rallying point for counter action. If blood must flow in Georgia's streets, say some of Georgia's leaders, why not make it pay off?

Taking a man's life and taking a man's right to vote or his right to live in a decent home are all part and parcel of the Talmadge organization's campaign to deny equal protection under the law.

If Georgia thinks that it is bigger than the U.S. Constitution, it has another thought coming. What happened in Georgia last week constitutes the strongest and most logical argument we can find for a Federal law against lynching.

If human life is to have any value at all in Georgia it will have it because of the fear which such a law will place in the cankered hearts of cowards who band themselves together to do what no one of them would dare to do alone.

WILKINS DENOUNCES RELEASE OF BRUTAL LYNCHERS OF CABLE HILL

Attacks Statement of Solicitor Who Thinks Sheriff Should Have Killed Deceased

CLARK ASKED TO PROBE OUTRAGE

NEW YORK, June 16 — "The release of two suspects in the brutal lynching of Caleb Hill by a grand jury in Irwinton, Georgia, is but further evidence of the necessity of federal action to protect the rights of citizens and curb lynching and other outrages," Roy Wilkins, acting secretary of the National Association for the Advancement of Colored People, said in a telegram today to Attorney General Tom Clark.

Citing the remarks attributed to the local solicitor that "most Georgia sheriffs would have shot the Negro instead of taking him to jail," the NAACP officials charged that "not only the lynching, but the climate of opinion in which it took place are intolerable in our democracy."

The Attorney General was told that "all present powers of the federal government as well as any new powers deemed to be necessary should be marshaled in the defense not alone of our citizens, but of the great principles and traditions of our nation."

The text of Mr. Wilkins' wire to Mr. Clark follows:

The release of two suspects in the brutal lynching of Caleb Hill by grand jury in Irwinton, Georgia, June 14, is but further evidence of the necessity of federal action to protect the rights of citizens and curb lynching and other outrages. The atmosphere in which these suspects were examined is illustrated clearly by the remarks of solicitor C. S. Baldwin "Most Georgia sheriffs would have shot the Negro instead of taking him to jail." In other words, the arrest of an American citizen and the employment of due process of law is an abnormal condition in this section of our country and, as a corollary, any action against those who violated the citizens's rights is unthinkable. We submit that not only the lynching, but the climate of opinion in which it took place are intolerable in our democracy and that all the present powers of the federal government as well as any new powers deemed to be necessary should be marshaled in the defense not alone of our citizens, but of the great principles and traditions of our nation.

Grand Jury Hears Lynch Case Today

IRWINTON— (AP) —Against a backdrop of 25 Negro lynchings since 1930, and not one conviction in any of them, Georgia today will try to solve the lynching of Negro Caleb Hill, Jr.

The special Wilkinson County Grand Jury will convene today to hear the evidence, and pass on murder warrants sworn out against two white men by the widow of the Negro.

Charged in the warrants are Dennis Lamar Purvis, 37, cafe owner and prominent business man, and Malcolm Vivian Pierce, 27, electrician—both of nearby McIntyre.

The jury will be made up of 23 members—all white men. They include doctor, preacher, business men—but mostly farmers.

They are the men who will hear as much as the investigation has brought to light about the death of Hill.

The Negro was taken from the County Jail on the night of May 30 and shot to death. His body was found on a roadside the next morning.

Hill had been arrested early that morning at a Negro roadhouse near Irwinton.

Lt. M. H. Spurlin, of the Georgia Bureau of Investigation, will tell the Grand Jury about the intensive investigation of the incident. GBI officers along with FBI agents have been helping Sheriff George Hatcher and other local officers on the case.

Spurlin said yesterday he is "sure" he has enough evidence to obtain some indictments.

Killing of Georgia Negro First Lynching of Year

By The Associated Press.

TUSKEGEE, Ala., May 30—The mob killing of a Negro at Irwinton, Ga., today was the first incident of its kind in the United States this year, Tuskegee Institute said.

Tuskegee reported two lynchings and a "borderline case"—all in Georgia also—last year.

A white tenant farmer, William Turner of Meriwether County, Ga., was reported

lynched by other men last May.

The second lynching, Tuskegee said, occurred when Robert Mallard, Toombs County Negro, was shot to death from ambush Nov. 20. His wife blamed robed, unmasked men.

The killing of Isaiah Nixon, Negro, Sept. 8, was listed as a borderline case because only two white men took part. Tuskegee records a lynching as a killing in whcih three or more persons are involved.

Tuskegee said Nixon was killed "when he insisted on voting in Georgia's primary election after being advised not to do so."

In the Turner case, a white man was convicted and sentenced to death; three others received life terms. One man was acquitted and charges were dropped against the second in the Mallard killing.

Two men were tried and acquitted in the Nixon slaying.

Slays Negro

BULLETIN

Irwinton, Ga., May 30 (Special)—Sheriff George Hatcher of Wilkinson county said today that Calip Hill, 28, a Negro who was found dead on a highway near here after being kidnaped from the county jail last night by a mob, was killed by gunfire. He said the body had been struck by at least two bullets.

Irwinton, Ga., May 30 (AP)—A young Negro accused of shooting at a white man was taken from jail by a mob here last night. His body was found today at nearby Sandy creek.

First reports did not disclose the cause of death. The Negro had been arrested after Sheriff George Hatcher charged he was fired upon at a juke joint where he had gone to quiet a disturbance.

The Negro was Calip Hill, 28. Word of his death was received by the sheriff's wife in a telephone call from Sandy Springs.

Husband Is Absent

Mrs. Hatcher said a group of white men drove up to the jail last night while her husband was absent and demanded the Negro. They took him away.

The sheriff had gone back to the juke joint to get his pistol, which he had lost in the earlier melee with Hill.

Police Chief J. Fountain of McIntyre gave the following account of incidents leading up to Hill's abduction:

Sheriff Hatcher received a call concerning a disturbance at a night spot operated for Negroes. He arrested and put handcuffs on Hill and then felt his gun being removed from his pocket. He turned quickly but the Negro wrestled with him and fired at the sheriff.

Shouts For Help

The law enforcement officer shouted for help, but none of the other Negroes in the establishment came to his rescue at first. Eventually another Negro handed him a gun and the sheriff marched Hill off to jail.

Mrs. Hatcher said the sheriff was not hit by any bullets. He was bruised about the body and his shirt was torn from his back.

She said the sheriff had gone back to the place to hunt his gun when the men came and took the Negro. Chief Fountain said that he and his assistants heard of the disturbance and went to the aid of the sheriff but found everything under control.

FBI Moves Into Irwinton Case

IRWINTON, Ga.—(INS)—The Federal Bureau of Investigation announced Monday night that its agents are probing the mysterious jail-raid lynching of Caleb Hill, 28-year-old Negro Chalk Miner.

Wilkinson County Sheriff George Hatcher said he had been questioned by "about half a dozen FBI men" since they moved in on the case Friday.

The Sheriff said:

"I'm glad the FBI has let it be known that they are here. There are quite a number of agents working in the case. I'd guess about half a dozen have questioned me."

Hatcher said he has "nothing new" to announce in the unfolding of the case in which two men, including the son of the Sheriff's brother-in-law, have been arrested.

(The FBI stepped into the case last Friday, according to special agent John Bills, in Atlanta.

(Bills told International News Service that the Federal G-men moved into the case under specific orders from Attorney General Tom Clark.)

As the hunt for additional evidence continues, the investigators looked for the weapon from which the death bullets were fired.

Hill, father of three children, was killed on May 20 by three shots through the head and neck.

Atlanta's "crime doctor," toxicologist Herman Jones, meanwhile, announced he had "partially completed a ballistics test on the bullets. He declined to disclose the extent of his findings.

A cafe operator, Dennis L. Purvis, 37, and a 27-year- old electrician, Malcolm V. Pierce, were arrested over the week-end on charges of suspicion in the jail-raid slaying. Both men live at nearby McIntyre, Georgia.

They were jailed by agents of the Georgia Bureau of Investigation.

Pierce and Purvis are being held pending a grand jury hearing June 14 when GBI Lt. H. M. Spurlin is scheduled to deliver evidence in the case.

Irwinton, Ga., June 5 (Special)—Two men were held on suspicion of murder today as an outgrowth of investigation by state and local officials of the kidnaping and slaying a week ago of Caleb Hill Jr., 28, a Negro prisoner in the county jail.

The men, both white, were arrested last night in McIntyre, a nearby hamlet, by agents of the Georgia bureau of investigation. They were identified by Lt. M. H. Spurlin of the GBI as Lamar Purvis, 37, operator of a cafe and grocery, and Malcolm Vivian Pierce, 27, an electrician.

Spurlin said evidence linking the men with the kidnaping will be presented to the Wilkinson county grand jury, probably late this week. He declined to discuss this evidence, but said six officers had participated in the investigation.

Locked In Same Jail

Purvis and Pierce were placed in the custody of Sheriff George Hatcher and locked in the same jail from which Hill was marched to his death. Hatcher said officials have ascertained the make and caliber of the gun with which Hill was shot.

Hill's body was found early Monday on a highway 3 miles from here. He had been shot in the head, neck and chest. He was taken from the jail by men who entered the sheriff's home, helped themselves to the jail keys, and led Hill from a second floor cell.

Father Of Three

Other prisoners in the jail said two men took part in the kidnaping. The sheriff, who had left the jail to look for a gun he had lost in a scuffle earlier in the evening, did not learn of the kidnaping until Hill's body was found and identified the next day. He said he came home and went to bed without discovering that the jail had been invaded in his absence.

Hill had been arrested by Hatcher Sunday night in the New Harlem club, a Negro night spot near McIntyre. The sheriff said he went there to investigate a reported stabbing. He reported Hill came up behind him, stole his pistol and shot at him with it.

Hill, a chalk miner, was married and father of three children. His funeral was held today in Ball's Methodist church at Jeffersonville, Ga.

The Mallard Home Will Be Sold

NEW YORK—(NNPA)—Shortly after she held a conference with reporters here last Friday to tell them of the evils of Georgia justice, Mrs. Amy Mallard, whose husband was shot down by a Georgia mob at Lyons, Ga., on Nov. 20 was notified by long distance phone that the property and home owned by her and her late husband would be placed on sale Feb. 1.

Mrs. Mallard told the NNPA News Service that her taxes have been paid up until the 1948 tax year and that before coming away she had left a signed check with a friend of hers to pay her current taxes when they came due.

She said when the friend presented the check for payment, she was told that the taxes had not been paid for a long time and that the property would be sold.

The redoubtable Mrs. Mallard, however, brought with her, her old tax receipts when she fled from Georgia and it was indicated last Friday night that the NAACP would take care of the situation.

Mrs. Mallard, also was told by telephone that her house had been looted. She said she had more than one hundred chickens on the property and her friend had reported that she could only find twelve. She said word had been received that other articles in the house were missing.

FBI Probes Lynch Case At Irwinton

IRWINTON—(INS)—The Federal Bureau of Investigation announced last night that its agents are probing the mysterious jail-raid lynching of Caleb Hill, 28-year-old Negro chalk miner.

Wilkinson County Sheriff George Hatcher said he had been questioned by "about half a dozen FBI men" since they moved in on the case Friday.

Hill was whisked from the Irwinton jail and shot to death after he was arrested by Sheriff Hatcher early last Monday.

Hatcher said he has "nothing new" to announce in the unfolding of the case in which two men, including the son of the sheriff's brother-in-law, have been arrested.

A cafe operator, Dennis L. Purvis, 37, and a 27-year-old electrician, Malcolm V. Pierce, were arrested over the week-end on charges of suspicion in the jail-raid slaying. Both men live at nearby McIntyre.

Sheriff Hatcher identified Pierce as the son of his brother-in-law.

They were jailed by agents of the Georgia Bureau of Investigation.

The FBI stepped into the case last Friday, according to special Agent John Bills, in Atlanta.

Lynch Mob Raids Jail,

HOLD SUSPECTS IN SLAYING OF GEORGIA NEGRO

Agents Nab Grocer and Electrician

Wilkins Denounces Release Of 2 Lynching Suspects

NEW YORK, N. Y.—The re- ing and other outrages," Roy Wilkins, acting secretary of the National Association for the Advancement of Colored People, said in a case of two suspects in the brutal lynching of Caleb Hill by a grand jury in Irwinton, Georgia, is but telegram last week to Attorney further evidence of the necessity General Tom Clark.

of federal action to protect the The telegram attributed to rights of citizens and curb lynch-

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ANOTHER GEORGIA DISGRACE

(From the New York Herald Tribune)
Georgia is again in disgrace. The flagrant incident at Irwinton, where a Negro was taken out of jail and shot to death, is only too familar in detail. The fact that the crime of lynching is almost at the point of disappearance makes the Georgia occurence all the more shocking. Last year these were, by Tuskegee Institute's statistics, only two lynchings in the entire country. Both, significantly enough, were in Georgia, where white supremacy is a deliberate rallying cry for political advancement. This is the state where a ragtail version of the Ku Klux Klan has again come to life, a new and more subtle Talmadge is Governor and a disturbing pattern of racial violence is developing. It is a state of violent contrasts. The prejudices of the forks of the creek account for lynchings, although Atlanta refused to be upset by the professional appearance of Jackie Robinson and more recently forbade parades by masked nightshirts. But the recent monopoly on lynchings is the focal point.

The Talmadge brand of progress, for all its intelligent efforts to make Georgia a better state, is devoted to white supremacy. Governor Herman Talmadge was elected on that platform, and he has moved fast and shrewly toward establishing a politcal dynasty on this reprehensible basis. Elsewhere the Negro is gaining the vote, and making himself heard. The white primary has been abolished, thanks to the courts; the poll tax is generally fading; Negroes are being elected to city councils, boards of education and so on. But in Georgia the right to the ballot is being contracted, not expanded. By eliminating the voters' lists and requiring all to register anew, most of the 120,000 Negro voters will be dropped somewhere along the line. The prospective voter is being required to read the Constitution "intelligibly", write it "legibly", or else respond satisfactorily to a statutory list of questions on government. In practical operation, the scheme effectively discourages the Negro, and the Talmadge organization makes no bones about it.

The affair in the Irwinton jail was unspeakably crude by comparison, but equally callous. Both are the denial of equal protection. Whether by bullet or statute, the repressive effect is the same. One encourages the other; the coincidence is inevitable. Georgia has gone backward.

Daily World
Tues. June 7,1949
Atlanta, Ga.

FBI Agents Probing Into Georgia Lynching Case

Journal & Guide 27a Norfolk, Va. Sept. 6-18-49

IRWINTON, Ga.—The Federal Bureau of Investigation announced last week that its agents were investigating the kidnapping and lynching of Caleb Hill, 28; meantime Sheriff George Hatcher said he had "nothing new" to announce in the case.

Hatcher is sheriff of Wilkinson County, from whose jail the colored chalk miner was mysteriously taken and lynched on Memorial Day. Hatcher said he had been questioned by "about half a dozen FBI men" since they began their investigation.

Two men, including the son of the sheriff's brother-in-law, are being held on suspicion of murder as an outgrowth of action by the Georgia Bureau of Investigation.

MAN IDENTIFIED

The men, both white, were arrested in McIntyre, a nearby hamlet, by agents of the GBI. They were identified by Lt. M. H. Spurlin of the GBI as Lamar Purvis, 37, operator of a cafe and grocery store, and Malcolm Pierce, 27, an electrician. Sheriff Hatcher identified Pierce as the son of his brother-in-law.

Spurin said evidence linking the men with the kidnaping will be presented to the Wilkinson County jury. He declined to discuss this evidence, but said six officers had participated in the investigation.

Purvis and Pierce were placed in custody of Sheriff Hatcher and locked in the same jail from which Hill was marched to his death. Hatcher said officials have ascertained the make and caliber of the gun with which Hill was shot.

BODY FOUND

Hill's body was found early May 30 on a highway three miles from here. He had been shot in the head, neck and chest. He was taken from the jail by men who entered the sheriff's home, helped themselves to the jail keys, and led Hill from a second floor cell.

Hill, a chalk miner, was married and father of three children. His funeral was held June 1 in Ball's Methodist Church at Jeffersonville, Ga.

ecision Awaited

IRWINTON, Ga., June 14—(AP)—Whether two white men will be tried for the lynching of Caleb Hill, Jr., is in the hands of a special Grand Jury today.

Mob Suspects Acquitted by Georgia Grand Jury

The Afro-American Baltimore, Md. Feb. 6-25-49 p24a

Action Toward 2 Nabbed in May 30 Lynching Bares Community's Stand

IRWINTON, Ga.—A special 23-man lily-white county grand jury here on Tuesday freed the two white men held as suspects in the May 30 lynching of Calif (Pinky Pie) Hill Jr.

The jury, headed by a Baptist minister, ruled there was "lack of evidence" as it returned no bill against Dennis Lamar Purvis, 37, operator of a cafeteria and grocery, and Malcom Vivian Pierce, 17, an electrician, both of McIntyre, Ga.

Thus the State of Georgia, which has accounted for 25 officially recorded lynchings of colored persons since 1930 without a single conviction, demonstrated that its citizens approve of this heinous crime.

No Motive for Lynching

No motive has been found for the wanton lynching of Hill, a 28-year-old Wilkinson County chalk miner, near Irwinton, on Memorial Day by two men who took him from the county jail while Sheriff George Hatcher, assertedly, was away.

The Georgia Bureau of Investigation, along with Federal Bureau of Investigation agents, had, according to Lt. M. H. Spurlin of the GBI, made an intensive investigation of the atrocity, the first officially recorded lynching of 1949.

Before Lieutenant Spurling told the grand jury on Tuesday of the evidence uncovered against the suspects in the investigation, he had informed newsmen that he was "sure" he had enough evidence to obtain the indictment.

Community "In" on Murder

Evidence that the whole community was "in" on the lynching of Hill is substantiated by the prompt refusal of the grand jury to indict the only suspects in the murder who have been apprehended. Sat. 6-25-49

Hill had been arrested at a roadhouse near Irwinton after a scrap in which he allegedly got hold of Sheriff Hatcher's gun. The man who was later lynched was said to have been taken to jail, located in the same building in which the sheriff lives.

The sheriff stated that when he returned to the scene of the melee to get his gun, two white men came to the jail and took Hill away, using the sheriff's keys to the jail, left on a table, to open Hill's cell.

His body, riddled with bullets, was found on the Dublin-Jefferson-ville Hy. at 8 a.m. the next morning.

Another colored man who was in jail when Hill was locked up "couldn't identify nobody."

The lynching victim had long been the subject of ill feeling by some white people in the community, a reporter was told by several citizens who knew Hill.

Only a month previously, he had an argument with two white men, Grover Lavender and Fred Bruer, almost coming to blows.

He left the county and stayed in Macon for two weeks. He had been home only two weeks prior to his tragic death.

Hill's sister, Mrs. Earl Austin of NYC, who came here after he was killed, said her brother had some enemies—white and colored—who didn't like his owning a 1946 automobile.

Mayor Warned Family

Hill's family said after he had stayed out all night, two sisters and a brother went to Irwinton to see if they could get him out of jail.

At 7:30 a.m., they were told by Mayor Erwin Everette "to get off the streets and go home."

Janitor's Meossage

He gave no further explanation nda they went hime without going to the jail.

The colored janitor of the jail, John Payne, overtook them, they said, and told them: "The white folks said stay out of town today," etgah;t

Nation's Worst Record

Georgia has the nation's worst record on lynching in recent years, although the number has dropped in the South generally, as other States are becoming more civilized.

The State of Georgia recorded 11 lynchings during the last 10 years; Mississippi was next with 5, just half the number; Florida, 3; Alabama, 2; South Carolina, 2; Tennessee, 2; Louisiana, 1; and North Carolina, 1. Sat. 6-25-49

Georgia's last effort to convict white men in the lynching of a colored man occurred in 1948, after Robert Mallard, prosperous salesman, was ambused and slain by a mob described by his widow as robed, masked men.

The widow, Mrs. Amy Mallard was arrested as the first suspect in the case, in such an absurd effor to excuse the Ku Klux Klan from blame that she was freed from jail without being given a hearing, because of public pressure.

Two Toombs County white men were later arrested after being identified by Mrs. Mallard, but were acquitted in a farcical trial in which a member of the jury testified as a character witness for one of the defendants and declared he wouldn't believe the colored woman's testimony even "if it were given under oath."

Unimpeachable FBI Stymied

In 1946, four colored persons, including two women, were ambused and killed by a white "firing squad" near Monroe, Ga.

The eminently well-trained FBI sent a large special detail to the county to investigate, but a special grand jury returned no indictments.

Although the State of Georgia refuses to fix guilt when white men lynch colored ones, it punishes white lynchers who murder persons of their own race, as may be gathered from the case of the lynching of white tenant farmer, convicted as a stock (cattle) thief in 1948 in Meriwether County.

Although the leader of the mob which lynched the thief was a wealthy landowner, John Wallace, he was sentenced to die on a murder charge; and four other members of the mob were sentenced to prison for life.

GEORGIA MEN FREED IN NEGRO LYNCHING

Sat. 6-25-49 p24

Grand Jury Headed by Minister Finds No Evidence for Trial of Pair in Jail Nine Days

The Times p54

Irwinton, Ga., June 14 (AP)—An all-white grand jury freed two white men today of any guilt in connection with the lynch-murder of Caleb Hill Jr., on May 20. After an all day investigation in this rural Georgia county seat, the jury ruled that there was not enough evidence to bring the pair to trial.

Dennis Lamar Purvis, cafe operator and well-to-do business man, and Malcolm Vivian Pierce, an electrician, had been held for nine days in the jail from which the victim was taken and shot to death.

Georgia Bureau of Investigation agents, H. M. Spurlin, sheriff George Hatcher and Solicitor C. S. Baldwin said before the investigation they were "sure" they had enough evidence to obtain some indictments. Wed. 6-15-49

The grand jury heard twelve witnesses, including law enforcement officers and three men who were in the jail when Hill was seized. Mr. Baldwin said the combined investigation of local, state and Federal officers had produced

MAYS

White Pastor's Prayer For Justice by Jury Carried Little Weight In Irwinton, Ga.

By BENJAMIN E. MAYS

(The views expressed in this column are those of the writer and do not necessarily express the editorial opinion of The Pittsburgh Courier. — The Editors)

I HAVE already written about Caleb Hill, Jr., who was lynched May 30 in Irwinton, Ga. Now that the special grand jury of twenty-two white men found no bill against Dennis Lamar Purvis and Malcolm Vivian Pierce, charged with the murder of Hill, I feel obliged to comment further.

Dr. Mays

According to the Associated Press, Superior Judge George S. Carpenter charged the jury as follows: "Not to indict anyone because of hatred or malice. But you must not fail to indict because of fear of reprisal, affection for any accused, or hope of reward.

"For 150 years this quiet little county in central Georgia has shown love of law and justice. We must remember that the ultimate standard of law and justice rests upon the conscience of this community."

THIS IS A grand statement. And I have no right to doubt the honesty and sincerity of the judge. It is conceivable that he was in dead earnest. But I sincerely believe that he knew in advance what the outcome would be. It is the judge's duty to charge the jury to be fair. But in a case of this kind, facts and evidence are not necessary.

Only one piece of evidence was important and that was "white men had killed a Negro." And history proves that in almost every instance where a white mob lynches a Negro that means acquittal of the white men who did the lynching. The charge of the judge was wholly unnecessary. The outcome would have been the same regardless of the evidence.

The same Associated Press article quoted Solicitor General C. S. Baldwin, Sheriff George Hatcher and the Georgia Bureau of Investigation Agent H. M. Spurlin as saying, "they were confident they had enough evidence to produce indictments." Personally I believe they had enough evidence or could have gotten enough evidence.

• • •

BUT EVIDENCE IS useless in the hands of people who are afraid to do right or people who do not have enough character to do right.

I want to challenge one statement in the judge's charge: "For 150 years this quiet little county in central Georgia has shown love for law and justice." I challenge it because being Southern-born and Southern-reared, I know that Georgia and the South have one standard of justice for the white man and another standard of justice for the Negro. That double standard of justice might run something like this:

When a Negro does injury to a white person, he must receive the maximum punishment allowed in the law; or he may be lynched, murdered, or beaten outside of the law. But if a white person does injury to a Negro, the white man, if punished at all, is to receive the minimum punishment allowed in the law.

I WANT TO make another comment. The Rev. Howard D. Blalock, Baptist preacher and foreman of the twenty-two-man, all-white jury, prayed for "justice without prejudice." The prayer was unnecessary. I believe the Rev. Mr. Blalock was sincere in his praying. But I suspect he had little faith in his prayer.

The Rev. Mr. Blalock knows the South as well as I do. He knows that the Negro's person is more lightly regarded than a white man's person. He knows that in order for God to function in our lives there must be a desire, a yearning, a willingness to let God in and a determination to do God's will, once that will is known. The Rev. Mr. Blalock knew that no such determination existed in his jury.

It must have been a frustrating experience for the Rev. Mr. Blalock. Here is a man supposedly called of God to preach, a minister of Christ's God, named foreman of a jury to indict or not to indict two white men charged by the widow, Mrs. Hill, of murdering her husband.

• • •

IT MUST HAVE been a frustrating experience because, being a minister, he must believe in justice and law and order. He must know that the evidence was there or that it could have been gotten.

What will the Rev. Mr. Blalock say to his congregation, if he has one? What will he preach to his people? Will he publicly denounce murder without trial, or will he preach as if nothing had happened? What will he preach about brotherhood, about the intrinsic value of human life? What will he say about God? I wonder. I wonder.

I am not defending Caleb Hill. But I am defending justice. I know that no man or no group of men has the right to take the law in their own hands and lynch a man. I know, too, that when we make up our minds to stop lynching, it will be stopped. And until we do stop it, we have little right to talk about justice in Greece, or democracy in Germany.

JURY FREES 2 HELD IN MOB CASE

IRWINGTON, Ga., June 14 — Two white men, reported identified by a prisoner who saw them take Caleb Hill, 28, supporter of nine, from jail just before he was lynched May 30, were freed Tuesday by the Wilkinson country grand jury.

The grand jury returned a no-bill after considering the case against Dennis L. Purvis, 37, and Malcolm V. Pierce, 27, nephew of Wilkinson county Sheriff George Hatcher.

The victim's widow swore out murder warrants against the two white men. Georgia Bureau of Investigation Agent H. M. Spurlin, Sheriff George Hatcher and Solicitor C. S. Baldwin said before the investigation they were "sure" they had enough evidence to obtain some indictments.

Solicitor Baldwin said the investigation had produced indications that one of the three prisoners in the jail, W. F. Walston, could identify the men who opened the door to Hill's cell.

Walston was being held on arson charges, for which he was convicted in nearby Twiggs county, Baldwin said. He added that Walston's statement was not backed by others in the jail.

Guidance

he jury retired, the for Baptist Preacher Howard D. Blalock, prayed for "justice without prejudice."

Solicitor Baldwin emphasized that the investigation had removed "any question of doubt" about Sheriff Hatcher's blame in the incident.

"Most Georgia sheriffs would have shot the Negro instead of taking him to jail," Baldwin added.

Hill was arrested by Sheriff Hatcher at a roadhouse. Hatcher said he had been called to investigate a report Hill had stabbed another man.

The sheriff said Hill managed to get his gun in the scuffle and fired at him. The sheriff put Hill in jail and went back to look for the pistol. While he was away, the sheriff added, two white men entered the jail, found his keys, and took Hill.

His battered, bullet-riddled body was found later.

Masked Georgia Men Take Negro From Cell, Kill Him

GA., May 30.—(AP)—A Negro was taken from the sheriff's resi- and shot and [illegible] Calif Hill, Jr., 28, after a disturbance at a Negro road- George Hatcher seized his gun and when he arrested

[illegible] said Hill had "the [illegible]tion I'd ever heard he had arrested him before. Hill in jail, the state troopers and [illegible]

two men enter, and they looked like they were coming to get Hill." Carswell could not identify them. They went out the back door of the house, leaving the keys in the kitchen.

Mrs. Hatcher said she heard a car drive up to the jail and a door slam, but thought it was her husband returning.

A six-man coroner's jury ruled that Hill "came to his death by gunshot wounds, being shot through the head by hands unknown."

Coroner C. C. Thompson said he would not remove the bullet unless ordered to by "higher authority — somebody like the Governor."

"If we had a gun to match the bullet with, or some suspects, it would be different," Thompson said. "But we haven't got a gun or any suspects."

Carswell, who was in the same jail with Hill, testified the slain man made no struggle or plea of any kind when the two white men said, "Come on, let's go."

Carswell said he knew virtually everybody in this area and that the two men

Weapon Sought In Jail Slaying

Atlanta, Ga.

IRWINTON — This normally quiet Middle Georgia town of less than 500 residents last night looked on tensely as authorities sought the death weapon and the attackers of a 28-year-old Negro who was whisked from a jail cell

Jour. 5-31-49

battered, bullet-pierced 28-year-old Calif Hill, Jr., been arrested by Sheriff Hatcher after a disturb- Negro "juke joint," creek near here g.

ner's jury ruled ill "came to his t" wounds, being head by hands unknown." The slain man's brother, Georgie, was in the room when the verdict was returned.

Dr. W. M. Puckett testified that death was caused by a bullet whcih entered Hill's head two inches above the left ear. Another bullet, he declared, lodged near the Negro's heart.

Coroner C. C. Thompson said earlier that he would not remove the bullet unless ordered to do by "higher authority — some

the Governor."

madge, who was speaking vania last night, said it up to him to order re- of the bullet, but rather a high court.

Governor said if the Geor- Bureau of Investigation had not already entered the case he would instruct the organization to aid Sheriff Hatcher.

Meanwhile, Lt. Johnny Dixon, of the GBI in Atlanta, said that Henry Walden, of the Dublin office, probably would be called into the case. "We are standing by in Atlanta to lend whatever assistance we can whenever the sheriff needs it," Dixon declared.

FBI Agent in charge of the Atlanta office, John C. Bills, said last night he had no comment on the killing, but added that the Department had reports of the killing. A similar statement was made by a spokesman in Washington.

Jour. 5-31-49

Sheriff Hatcher, however, late last night reported that he would order the bullet removed to permit ballistic tests.

Tom Carswell, a Negro cellmate of Hill, said two heavy-set white men abducted the victim, after saying simply, "Let's go!"

He added that he would not be able to recognize the men, because there was so little light.

Sheriff Hatcher said he went to the Negro roadhouse after a report of a disturbance there, and during a struggle Hill grabbed the officer's gun.

The Sheriff said: "I thought my time had come, because he pointed the gun at me and fired."

Hatcher was not hit and after the shooting was handed a gun by another Negro. He then took Hill to the jail which is located on the second floor of the building also used as the Sheriff's residence.

Jour. 5-31-49

The Sheriff explained that he was away during that time looking for his gun which Hill had jerked from him when he arrested the Negro. The officer added that there was a "rumor around town that I had been shot" and said he believed the erroneous report motivated the slaying. Hatcher said his first knowledge of the slaying was when two farmers, Harold and Howard Toler, reported finding the Negro's body shortly after dawn.

Alec Boone, Wilkinson County's Representative in Georgia's Legislature and Publisher of the Weekly Wilkinson County News, told a reporter that he knew who "killed that boy." Then, he wisecracked:

"It was one of those jurors, naturally."

Boone said seriously, however, that he didn't see why "so much fuss is being made over this thing, unless it's because Hill was a black man."

Mob Violence Again

The Atlanta Constitution

Georgia again is being presented to the nation—and published in Russian newspapers—as a State where a young Negro, arrested for drunkenness and for allegedly trying to shoot the Sheriff with the Sheriff's own gun, snatched in the scuffle of arrest, was taken from the Wilkinson County jail by a group of men and killed.

Thus another person has been deprived of due process of the law and killed by a mob. Thus, again, the law has been flouted and mob violence has been resorted to in a case in which no person was wounded or hurt. The Sheriff was absent from the jail when the mob took the prisoner.

Jour. 5-31-49

This, of course, does not represent the will or the attitude of the Christian people of Wilkinson County. The climate of the county, however, encourages such actions because of public writings in the county which commonly display violent and inflammatory terms, including tarring and feathering, and other forms of mob violence, in discussing the racial problem of the State and Nation.

Here was a case where the guilty man was in jail. A Wilkinson County grand jury and trial jury were available to act. Yet the mob apparently had no faith in its own juries or jury system.

Such violence is inexcusable and uncalled for. Such actions, brutally defiant of the laws of our State, move us closer to Federal laws.

Negro In Georgia Taken From Jail, Is Found Slain

Sheriff's Wife Says White Men Came While Officer Away

IRWINTON, Ga., May 30—(AP)—A young Negro was taken from jail here early today by a white mob and shot and beaten to death.

The 28-year-old Negro, Calif Hill, Jr., was arrested last night about midnight during a disturbance at a roadhouse. He shot at a sheriff there.

Mrs. George Hatcher, wife of the sheriff, said a group of white men drove up to the jail in cars last night, took the Negro and departed. Her husband was away at the time.

Sheriff George Hatcher said he went to the night club to arrest Hill alone. He reported as he was putting handcuffs on the young Negro his pistol was grabbed.

"When I turned back to look at Hill, he had my gun and fired at me. It looked like my days were numbered.

"I yelled for help and another Negro handed me his gun. I then turned it on Hill and marched him out to my car. I didn't stop to get my gun."

Hatcher said he wasn't hit by any bullets but that he was bruised and his shirt was torn off in the scuffle with Hill. He took Hill to jail.

Irwinton is a town of about persons in middle Georgia about 20 miles east of Macon. It is the county seat of Wilkinson County, a sparsely settled rural area.

Mrs. Hatcher said the sheriff has gone back to the place to hunt his gun when the men came and took the Negro.

Town Indifferent To Negro's Death

IRWINTON, GA., May 31.—(AP)—Police hunted the lynchers of a Negro today, but residents of the town showed little interest.

Two agents of the Georgia Bureau of Investigation came to help Sheriff George Hatcher look for the men who took Calib Hill, Jr., from the jail Sunday night, beat him, and then shot him to death.

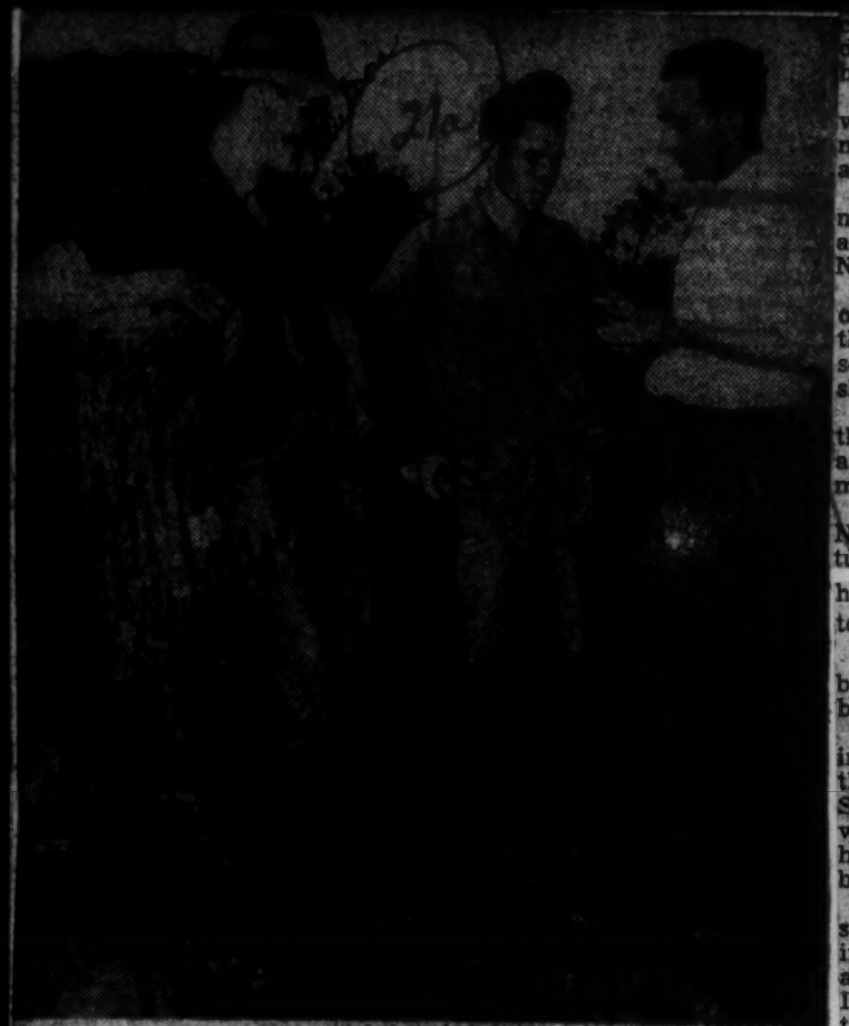
There was a general air of indifference among the white people in this country town of less than a thousand.

One man said "it didn't upset a checker game." Another shrugged off the lynching by saying, "it's just a Negro."

In Washington, the Justice Department said the circumstances surrounding Hill's death "are under active study." The FBI district office in Atlanta had no comment.

Lynching Brings Martial Law Bid

The Peoples Progressive Party of Georgia yesterday asked Pres



BOYS FOUND SLAIN NEGRO—Howard, left, and Harold Toler are questioned by Sheriff George Hatcher, right, of Wilkinson County, after they found the body of Negro Calif Hill near Irwinton. Hill had been taken from the building which serves as county jail, beaten and shot to death. He had been jailed for shooting at the Sheriff following his arrest in a night spot at Irwinton Saturday night.

Georgia Negro Seized In Jail And Lynched

Young Man Is Found Shot, Beaten to Death

By the Associated Press.

Irwinton, Ga., May 30 (AP)—A young Negro was taken from a jail cell in the sheriff's residence early today and shot and beaten to death.

The Negro, Calif Hill, Jr., 28, was arrested after a disturbance about midnight at a Negro roadhouse. Sheriff George Hatcher said Hill had seized his gun and fired at him when he arrested him.

The sheriff said Hill had "the worst reputation I'd ever heard of" and that he had arrested the Negro several times before.

Called State Troopers.

After placing Hill in jail, the sheriff called State troopers and went back to the roadhouse to get his pistol, which had been taken from him in the scuffle. Two unmasked white men then slipped into the jail on the second floor of his home and took Hill, Matcher said.

Hatcher had left his keys on the table in the dining room of his home. His wife and daughter were asleep in downstairs rooms.

Another Negro prisoner in the jail, Tom Carswell, said he saw the two men enter, and "they really looked like they were coming to get Hill." Carswell could not identify them. They went out the back door of the house, leaving the keys in the kitchen.

Body Found In Creek.

Mrs. Hatcher said she heard a car drive up to the jail and a door slam, but thought it was her husband returning.

Hill's body, badly beaten and with bullet holes in the heart and neck, was found about 7 a.m., by a creek near Irwinton.

Hatcher said he went to the night club alone when he received a report Hill had stabbed another Negro.

As he was putting handcuffs on Hill in the club, in which there were about 100 others, someone grabbed his gun, the sheriff related.

"Hill tackled me and the next thing I knew, he had my gun and fired at me. It looked like my days were numbered.

"I yelled for help and another Negro handed me his gun. I then turned it on Hill and marched him out to my car. I didn't stop to get my gun."

The sheriff said he wasn't hit by any bullets, but that he was bruised and his shirt torn.

"I took Hill to jail and put him in my best cell," he added, "and then left to look for my gun. Someone had thrown it out a window and it took me about 2 hours to find it in the woods near by.

"When I returned home, I went straight to bed without looking in on Hill. The first thing I knew about his being killed was when I was called to identify a body this morning.

Was Arrested Previously.

"When I first heard about it I though of the Ku Klux Klan, but no one remembers seeing anyone hooded around town."

Hill, the sheriff said, previously had been arrested for shooting a small white boy.

Irwinton is a town of 500 in middle Georgia, about 20 miles east of Macon. It is the county seat of Wilkinson County, a sparsely settled rural area.

Tuskegee Institute Says Lynching Is 1st This Year

Tuskegee, Ala., May 30 (AP)—The mob killing of a Negro at Irwinton, Ga., today was the first incident of its kind in the United States this year, Tuskegee Institute said.

Tuskegee reported two lynchings and a "border-line case"—all in Georgia also—last year.

A white man, tenant farmer William Turner, Meriwether County, Georgia, was reported lynched by other men in May.

The second lynching, Tuskegee said, occurred when Robert Mallard, Toombs County Negro, was shot to death from Ambush November 20. His wife blamed robed, unmasked men.

Was Border-Line Case.

The killing of Isiah Nixon, Negro, September 8 was listed as a border-line case because only two white men took part. Tuskegee records a lynching as a killing in which three or more persons are involved.

Tuskegee said Nixon was killed "when he insisted on voting in Georgia's primary election after being advised not to do so."

In the Turner case, a white man was convicted and sentenced to death; three others were given life terms. One man was acquitted and charges were dropped against the second in the Mallard killing.

Two men were tried and acquitted in the Nixon slaying.

Sheriff Says 'No Clues Found' In Lynching Of Georgia Negro

IRWINTON, Ga., May 31—(AP)—With no clues or a motive to guide them, investigators searched today for white men who whisked a Negro from jail and shot him to death.

"There's nothing to go on," said Sheriff George Hatcher. "At present we don't even have a definite motive."

The Negro, 28-year-old Caleb Hill, Jr., was taken from the jail early Monday morning by two white men. His beaten and bullet-pierced body was found near a creek a few hours later.

In Washington, the Justice Department said the circumstances surrounding Hill's death "are under active study."

Although the department declined to elaborate, it was indicated that FBI agents in the field are looking into the case to determine if any violation of federal law, warranting intervention by the government, is involved.

The sheriff said he thinks there were more than two men involved in Hill's death. "I don't think two men would try to handle something like this by themselves," he explained.

* * *

HILL WAS arrested by the sheriff at a Negro roadhouse near this small middle Georgia town about midnight. While he was making the arrest, Hatcher said, Hill seized the sheriff's pistol and shot at him. Hatcher subdued Hill, took him to jail and returned to look for his pistol which was lost in the scuffle.

The jail is on the second floor of the sheriff's home. He said he left the house unlocked when he went for his pistol because he didn't want to disturb his wife when he returned.

While he was gone, Hatcher continued, two white men entered the jail and took Hill away. The sheriff's wife and two young daughters were sleeping downstairs.

"When I returned home, I went straight to bed without looking in on Hill. The first thing I knew about his being killed was when called to identify a body (Hill's) this morning," Hatcher added.

MRS. HATCHER said she heard a car drive up during the night, but thought it was her husband.

Tom Carswell, a Negro prisoner in the same cell with Hill, said the slain man made no protests when the two white men came in and told him: "Come on, let's go."

Carswell said the men were strangers to him and he could not identify them if he saw them again.

Hatcher discounted reports that Hill might have been killed because of rumors he had shot the sheriff.

The sheriff said he went to the roadhouse to arrest Hill after a report he had stabbed another Negro.

TUSKEGEE Institute at Tuskegee, Ala., listed Hill's violent death as the first of its kind in the United States this year.

Two lynchings and a borderline case, each in Georgia, were reported by Tuskegee in 1948.

LYNCHING IN GEORGIA

The white man walked into the jail cell of a little Georgia town. "Come on, let's go," the said, and the Negro silently followed. His body, severely beaten and with bullet holes in his head and near his heart, was found next morning. One more lynching; one more disgrace to the people and authorities of the State of Georgia; one more argument for federal laws to protect the individual against what Justice Jackson recently called "the mindlessness of a mob."

The victim of this Memorial Day lynching had just been arrested for a stabbing and had allegedly fired at the sheriff who arrested him. But it is of vast importance that every citizen of this democracy be secure in the knowledge that he will get a fair trial, irrespective of the charges against him, of his station in life, his color, or the part of the country in which he lives. In New York no less than in Georgia this is an essential ingredient of democracy; without it democracy has no vitality and speeches and phrase-mak-

permits lynching lives on anywhere in
ings in this country have been decreas-
ing. This is the first of 1949; last year
there were two; in 1947 there was one
—compared with twenty in 1935, fif-
teen in 1934, and so on back to 116 in
1900. But one lynching is one too
many; and so long as the evil that

7856

7856

Furniture Dealer to Aid Nixons

PITTSBURGH—The most generous contribution to the furnishing of the Nixon home came this week as Shedrick Fields, Ambridge furniture dealer, offered to supply furnishings for two bedrooms in the Nixon home and to ship them to Jacksonville, Fla.

Mr. Fields, one of the most experienced and reputable furniture men in this part of the country, not only personally came to The Courier and made the offer, but also gave to the Committee on the Nixon Home the names of other furniture dealers whom he felt would take part in the project.

Meanwhile, countless other necessities for the home are dependent upon contributions of money from Courier readers. Total amount to date is still below $100. Far more is needed. This money will be used for buying linen, china ware, cooking utensils, curtains, and the myriad items needed for a home.

Send your cash, check or money order for the Nixon home furnishings to The Pittsburgh Courier, 2638 Centre Avenue, Pittsburgh 19, Pa.

The Nixon home is expected to be completed within a few weeks. The Courier and the people who made the building of the home possible want to have it furnished by the time the family is ready to move in.

NIXON LYNCHING

The Nixon home is an answer to the anger and protest of Negroes throughout the world who wanted to do something for the family of a lynch victim. Issiah Nixon was shot and killed last September in Georgia because he wanted to exercise his right to vote. After he had gone to the polls he was lynched. His widow, Mrs. Sallie Nixon and their six children have been living in abject poverty for almost a year. Courier readers rallied to their side and gave the Nixons a haven.

Send your cash, check or money order for the Nixon home furnishings to The Pittsburgh Courier, 2638 Centre Avenue, Pittsburgh 19, Pa.

Mallard Home Burnt By Kluxers

LYONS, Ga. — (ANP) — According to information received here last week, the home of Mrs. Amy James Mallard, widow of the lynch mob victim, Robert Mallard, was burned to the ground last July 4 and farmers in the Altamaha river section have just decided to tell it. Reports accused the Ku Klux Klan.

Sheriff R. E. Gray confirmed the burning, but denied an incendiary origin.

Widow Mallard, who now lives in New York where her daughter, Doris Byron, is a student at New York University, learned that her house had been destroyed by fire three months ago.

Mrs. Mallard's husband was murdered near his farm house last November and, following a trial in which he was acquitted of shooting him, the widow left this little town never to return.

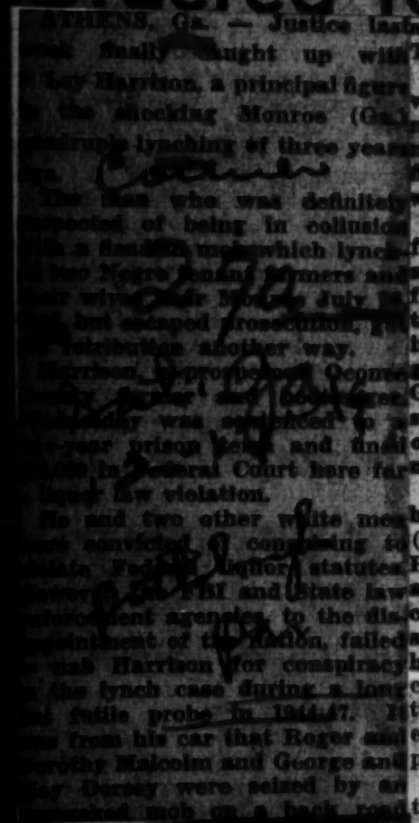
Friends of the Mallards notified the widow's lawyer, Mrs. Cora Walker Bailey, because she had asked that chemical supplies belonging to a Boston concern be shipped North.

Mallard Home Burned By KKK?

LYONS, Ga. — (ANP) — According to information received here last week, the home of Mrs. Amy James Mallard, widow of the lynch mob

7857

Man Who Delivered 4 to Georgia Mob Ordered to Prison



ATHENS, Ga. — Justice last week finally caught up with Loy Harrison, a principal figure in the shocking Monroe (Ga.) multiple lynching of three years ago. (Continued)

The man who was definitely accused of being in collusion with a fiendish mob which lynched two Negro tenant farmers and their wives near Monroe July 25, 1946, but escaped prosecution, got retribution another way.

Harrison, prosperous Oconee County farmer and lumberman, was sentenced to a 2-year prison term and fined $2,000 in Federal Court here for liquor law violation.

He and two other white men were convicted of conspiring to violate Federal liquor statutes by the FBI and State law enforcement agencies, to the distasteful of the nation, failed to nab Harrison for conspiracy in the lynch case during a long and futile probe in 1946-47. It was from his car that Roger and Dorothy Malcolm and George and Mae Dorsey were seized by an unmasked mob on a back road and cruelly lynched on that black Thursday, late in the afternoon.

The terror-stricken mob victims were lined up abreast on low land near the Appalachee River and mowed down by volleys of gunfire. Their bodies were riddled with bullets and buckshots.

Numerous knife gashes in the face of Roger Malcolm, the absence of a large piece of flesh from the face of his wife, Dorothy, which was ghastly twisted in an agonized death, and the gouging out of the right eye of George Dorsey, indicated a strange blood-thirsty celebration or ritual had been held by the mob.

The lynching occurred at a bridge which separates Walton (Monroe) and Oconee Counties. Harrison admitted that he knew almost everybody in the two counties, but apparently pulled a smart one on the FBI and State law agents by declaring that he could not identify any of the twenty or more unmasked lynchers who took the four colored persons from his car.

Harrison was not arrested and the lynch case was not solved.

It is generally believed that if he had been taken in custody during an investigation of the lynching, a break would have developed that might have led to the arrest of members of the mob.

Harrison was taking the four Negroes to his farm as workers when they were lynched. Three of the victims were guilty of no offense whatever. Roger Malcolm, however had just been released from jail for stabbing a white man, Barney Hester, allegedly over attention paid the Negro's wife by the white man. Hester recovered from the wounds.

The two other white men convicted of liquor conspiracy with Harrison last week were sentenced to one year imprisonment. Their names were given as Frank and Andrew Ford.

LOY HARRISON
... goes to prison

27a 1949

Kentucky

7841

Accused of Rape, Negro Youth Found Slain

MONTICELLO, Ky. (AP) — Mystery surrounded the bullet-riddled corpse of a Negro youth, Samuel Sloan Jr., which was found in an unused farm building near here last week.

Sheriff Joseph Burnett said that the youth had been accused of raping a 12 year old white girl. A mob of 200 hill and farm men looked for Sloan for approximately two days, residents of this town declared.

Sloan never saw his killers as he was evidently ambushed. Members of the posse were reported as saying.

7858

The South

Mother of Five Raped

BIRMINGHAM, Ala.—William Short, white, is in county jail here without bond charged with the rape of a 35-year-old Negro woman. 27a NAACP Rpt

Mrs. Survilla Moore, 35, mother of five children, two girls and three boys, ranging in ages from 2 to 10, told police, Short attacked her near Thirty-sixth Street North as she was on her way to a friend's home.

Preliminary trial is set for 2 P. M. Monday, Aug. 22 before Judge G. C. Boner.

Courier-Post 8-20-49

Two Killed in Prisons

ATLANTA, Ga.—Georgia NAACP officials and citizens last week were looking into circumstances surrounding the jail slaying of Negro men in Buford and Sparta, Ga.

John Glasper, 25, was shot to death after having been lodged in jail on a complaint of "Red" Bailey, white grocer, who claimed Glasper owed him a three-week-old bill of $13.

Officers claimed that Glasper went "on a rampage," broke out jail windows and attacked them, whereupon he was shot fatally. Glasper was shot in the stomach, arm and back. Relatives told investigators that Glasper had begged them to get him out of jail for he knew the white folks were going to kill him. On his death bed, Glasper denied any act to bring the fatal shooting.

Twenty-five-year-old L. C. Culver was slain in the Hancock County jail at Sparta. He was shot in the head and face by Chief of Police Moody Purdue. Purdue claimed Culver knocked down Sheriff Bernard Butts and was beating him when the shooting occurred. They claimed he was mentally "off." Relatives of the deceased denied this, however.

Another 'Mallard' Case

LYONS, Ga.—Police Chief C. L. Keen revealed last week that Lemon Ricks, 50, a turpentine worker, was slain by a white man last Sunday.

Formal charges were filed against Woodrow Williamson, 25, in the shooting, while police arrested his father-in-law, Causs Williamson, 50, and Lester Mixon, 40, to be held as material witnesses.

According to Sheriff Robert E. Gray, the four men had been arguing. Williamson pulled a gun and fired once, slaying Ricks.

Just as in the Mallard lynching, Chief Keen immediately issued a statement that Ricks had a bad reputation and that he had recently been charged with arson. Nothing came of the Mallard lynching arrests and subsequent trial here.

Woman Victim of Mob

ALAMO, Ga.—Mrs. Mamie White last week was said to be still suffering from the effects of a beating administered by a masked mob here July 12.

The woman was accused of talking "too much" about an alleged affair between a white man and a Negro woman.

Georgia NAACP investigators were probing the circumstances and report.

The mobsters were said to have put a cover over her husband's head, while Mrs. White was dragged into the yard and whipped unmercifully.

Whisked From Mob

CONWAY, S. C.—A Negro, Samuel Green, accused of shooting a white boy, was rushed to the Conway jail for safekeeping last week after a mob of 150 whites at Aynor had demanded that officers turn him over to them.

The lynch threat followed the pistol wounding of a teen-age boy near the Aynor community last Saturday.

7842

Suit in Carolina On Lynching

Daily Worker

COLUMBIA, S. C., Feb. 1 (UP).—The mother of lynch victim Willie Earle is seeking $5,000 damages against two South Carolina counties, it was disclosed today.

Earle, a Negro, was beaten, stabbed and shot to death after he was taken from Pickens County jail on Feb. 17, 1947. Twenty-eight taxi drivers were cleared of murder charges in Earle's death, which allegedly occurred in Greenville County.

Lawyer Harold R. Boulware, who announced that complaints have been served on the two counties' supervisors, said the state law provides that a county shall compensate the family of a person lynched within its borders.

Late News In Brief

(From International News Service)

S. C. High Court Asked To Decide Lynch Locale

COLUMBIA, S. C. — The South Carolina Supreme Court had been asked Friday night to determine whether Greenville or Pickens county is liable for the February 17, 1947 lynching of Willie Earle. Earle, the accused slayer of a Greenville taxi driver, was taken from a Pickens jail and killed. His body was found in Greenville county. Twenty six Greenville taxi drivers were tried for the murder but were acquitted.

Earle's mother, Mrs. Tessie Earle, has now filed a suit against both counties under an 1895 law providing maximum of $5,000 in damages against a county in which a lynching occurs. Circuit judge Joseph R. Moss dismissed the claim against Pickens County but allowed the complaint against Greenville county. The Supreme Court is now hearing Greenville's appeal.

Judge Makes Two Rulings In The Earle Lynch Case

Journal & Guide

Norfolk, Va.

GREENVILLE, S. C. — The Court of Common Pleas of Greenville county last week upheld a motion of attorneys for Pickens county and denied motion of attorneys for Greenville county to dismiss complaints filed by the National Association for the Advancement of Colored People on behalf of Mrs. Tessie Earle, mother of lynch victim Willie Earle.

In dismissing Mrs. Earle's suit for damages against Pickens county, the court stated that for recovery under the South Carolina constitutional provision, it is necessary that death have ensued from the lynching and that actually Earle's death occurred in Greenville county.

Journal & Guide

NAACP attorneys had attempted to hold Pickens county liable on grounds that Earle had been forcibly taken from the county prison in Pickens and transported into Greenville, thus making both counties liable.

Norfolk, Va.

Attorneys for Greenville county have filed notice of appeal of the court's decision to uphold the complaint against

7840

Send Your Contribution Today

Help Furnish Nixon Home!

By EVELYN CUNNINGHAM

PITTSBURGH—A far cry from the tragic, ruthless lynching of a man in Georgia last year, is the peace, stability and security of the

Send all contributions to The Pittsburgh Courier, 2628 Centre Avenue, Pittsburgh 19, Pa. Checks, money orders and cash are acceptable.

home soon to house the dead man's widow, Mrs. Sallie Nixon, and her six children.

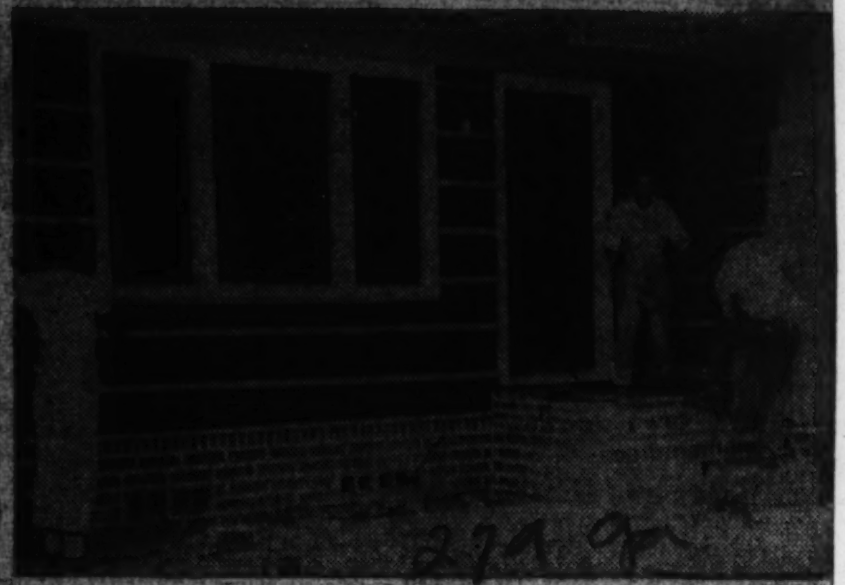
The home is the result of efforts of thousands of persons throughout the world, led by (the Courier, to provide a home for the family that was literally thrust out on the world without food, shelter or funds. They fled to Florida after the lynching and found temporary refuge with relatives. That refuge actually has been one room of a pitiful two-room shack. The Nixons have plouged through the direst misfortune and need.

The response to The Courier's call for funds for a home for the family has been a tremendous success. The home is in the final stages of construction and the Nixons soon will be able to move in.

But the Nixons can't possibly move into a home, no matter how substantial, unless there are furnishings, appliances and all those things that must be put in an empty room to make it livable.

This is the reason for The Courier's second appeal for funds. This appeal must have a ready response. The home is near enough to completion to make necessary immediate planning for furnishing it. Everything from pickle dishes to beds must still be bought. The job has to be finished and The Courier again needs the help of its readers.

Send your contributions as fast as you can to The Pittsburgh Courier, 2628 Centre Avenue, Pittsburgh, Pa.



Front Entrance to Nearly Completed Nixon Home

7859

Arrowhead Springs Hotel in California

Even With Georgia Memories Haunting Them

Nixons Are Warm-Hearted, Human Despite Tragedy

Gettysburg Pa. 2nd (?)
Gettysburg Courier
Sat-1-15-49

By EVELYN CUNNINGHAM
(Courier Staff Writer)
(Last in a Series)

JACKSONVILLE, Fla.—It came as a shock one day to realize that the Nixons were worrying about me . . . worrying about providing some kind of recreation or diversion for me . . . worrying because I'd never stay for dinner. It slowly dawned on me that I was considered more or less a guest and the folks felt a responsibility. Pretty funny situation.

Funny . . . considering they had lost the head of their family through a grim tragedy and I was there trying to offer a second-hand kind of aid . . . trying to tell them how people all over the Nation were saddened because Isaiah Nixon was murdered because he had gone to the polls and voted despite warnings to Negroes from Georgia bums.

It was near the end of my stay when Sallie Nixon ventured, timidly: "It's a shame we don't have anything for you to do. We could have taken you to the movies or something. Only thing we seem to do is take you 'round to Aunt Florence's."

WARM-HEARTED FAMILY

Going around to Aunt Florence's was always quite an event. The kids who were left behind when we all went, would pout and cry and insist upon being taken over to Aunt Florence's.

Aunt Florence is Mrs. Florence Knight. She is actually the aunt of Isaiah Nixon, sister to Mrs. Daisy Davis, Isaiah's mother. Her home is a small, comfortable place, a few luxuries, a phone, and a warm personality.

The kids are crazy about Aunt Florence, and she and her husband, Prince Knight, have done and are doing everything within their power to give the words "home" and "family" full meaning to the Nixons. The Knights are alert to the needs and necessities of the family, and, since they can offer only a meager supply of material things, give fully and freely of love and affection.

It was Mrs. Knight who went to Georgia after Isaiah Nixon was killed and brought the family to Jacksonville.

EXCELLENT RELATIONS

Little has been said of Mrs. Daisy Davis, Sallie Nixon's mother-in-law. She had lived with her son and his family when they were in Georgia and has lived with them since they have been in Florida.

There is one very definite and strong impression Mrs. Davis makes on a person just meeting her. She looks so young! She's quite pretty, has a good figure and flawless skin. Seems impossible that she is a mother-in-law, much less a grandmother. She and Sallie Nixon have a unique relationship. Unique in that they get along famously, respect each other's opinions and bear an honest affection for each other.

Mrs. Davis feels as close to the children as their mother. She pets them and scolds them and reminds them that they must obey their mother.

Sat-1-15-49

Mr. and Mrs. John D. Kelly, in whose home the Nixons have been living, are also relatives. He is a brother of Mrs. Davis. It was they who welcomed the family of eight to their three-room house when they first came to Jacksonville. At the present time some of the family are living with the Knights; the others have remained with the Kellys.

FRIENDS ANXIOUS TO HELP

The last day I was with the Nixons I was reminded very forcibly how anxious people were to help the family. I had seen folks come in and out of the house, offering nearly everything they thought might be of some use to the family and I had come to take for granted this sort of thing.

But this particular morning, two men in blue denims walked in the house and introduced themselves. They were W. J. White and A. B. Wanton, both of South Jacksonville, and both locomotive firemen with the Florida East Coast Railway.

They asked for Mrs. Nixon. But she wasn't at home at the time. They thought they'd stay for a little while anyway and talk to Mrs. Davis and me and just peek around and see the "lay of the land."

They told us that there was a brand new house out near where they've lived that they thought Mrs. Nixon might want to look at. They asked us to step outside to see the truckload of fire wood they had brought. Mrs. Davis was pleased and grateful about the wood and suggested they dump it right in the yard.

DONATED FIREWOOD

By the time the wood was unloaded Mrs. Nixon had returned. By this time White had completely warmed up and looked like he wanted to hang around and just be neighborly for a spell. He told jokes. He has a wonderful gift for throwing words around. He had us in stitches.

"Well, I guess I'll go," he said a half hour before he did. "See, I'm in a slow hurry, if you'll pardon the Southern expression," he said to me.

"If you'll excuse me for mentioning Georgia again . . ." he started to Mrs. Nixon.

"If you'll pardon me for telling this story on your estate . . ." he nodded toward Mr. Kelly.

White was quite an entertaining fellow. His partner, Wanton, had little to say, but was the perfect "straight" man. He just chuckled and asked leading questions . . . then sat back to laugh at a story he had probably heard dozens of times before.

INSPECTED HOUSE

While we were trying to decide just what day would be convenient for Mrs. Nixon to go out and see the house, she suddenly suggested that we all go right then.

We all piled in. The house is quite some distance from where we came. But it was a pretty little thing. Almost ideal. But for about a mile before we came to the house we had to pass through a deep, dark, swampy woods on a narrow dirt road. I think Sallie Nixon made up her mind right then that this wasn't going to be the house she would live in. Sat-1-15-49

I'll never forget the tone of her voice and the expression on her face when she said before we came to the house: "This looks just like Georgia . . . looks like swamps all around here."

She was distressed, too, that the house was located in a rather isolated spot. There weren't any neighbors close by. That also worried her.

PAINFUL REJECTION

Then she went through one of those terrible internal wringings. These men had been so kind and she was completely at a loss as how to tell them she couldn't possibly live in that house. She turned to me. "You tell them." It wasn't hard at all.

The men understood. Before we went back home we visited the homes and met the wives of both men. They treated Sallie Nixon like a celebrity. I kidded her about this. She smiled and shrugged.

A new home for the Nixon family is not too far off now. Their story has been told and the people have responded. They are going to respond even more. Because they, as we, know that this is now an obligation to society and to ourselves. All of us know that home will be built.

rumbling it's usually because one or more has been ejected from a game because she was too little, too rough or too slow; there's dissention when one covets another's property or when it appears one is being favored over another.

These differences don't last. They enjoy each other too much and their mother has pumped them to the brim with the lessons and the implications of the Golden Rule.

Mary Ann, the oldest child, has an amazing sense of responsibility for her ten years. She has assumed the leadership and she is respected for her opinions and her judgments.

Her unselfishness is both mature and maternal. She is always primarily concerned with the welfares of the younger ones. She has a first-hand knowledge of what sacrifice means. She always puts the children ahead of herself and shares each of their emotions; sad when they are sad, happy when they are happy.

STORE INCIDENT

One afternoon Mary Ann, Connie Louise and I went into a little neighborhood store for a popsicle. I ordered three. Mary Ann was embarrassed. "Oh you don't have to get but one for us. We can both eat that one." I assured her that it was quite alright for us all to have a popsicle. But Mary Ann wasn't too happy. Somewhere along the line she had learned that you can't have everything you want and that taking favors from a relative stranger wasn't in the very best taste.

While we had been talking about the popsicle, Connie Louise had felt her way through a sack of potatoes and had smeared her nose on a glass plate. There were some crackers she wanted, and she asked for them. Mary Ann was mortified. Connie Louise wasn't doing right at all. This time she insisted that I needn't buy the crackers and that "Connie Louise just wants everything she sees."

We got the crackers, of course, but Mary Ann didn't really enjoy them. Her little sister had embarrassed her.

That's the kind of child she is. A little aloof, shy, not too friendly to people she first meets, but like adhesive plaster when she decides she likes you and you treat her like a full-grown woman.

LADY-KILLER

Hubert, 7, has all the symptoms of becoming a lady-killer. He's downright handsome when he smiles. He has a junior-sized idea of how to charm the ladies and he distributes his hugs and kisses liberally. Although he respects Mary Ann's seniority, he already is aware of his position as the oldest man in the family. He tells us about that, too.

Hubert likes to pick on the smaller ones. Harmless picking. But it is a reminder to them that he is their big brother and he thrives on that.

Hubert, like Mary Ann, doesn't talk about that day up in Georgia when they killed his father. All either of them say is that "they shot him with a gun and he died." Mary Ann adds, with obvious confusion: "And he didn't even do a THING!"

NAME SPELLING

Evarn, 6, is rather quiet. She sits and listens and smiles, but says little. I asked Mrs. Nixon how the child's name was spelled. I had assumed that it was Yvonne. When she told me I couldn't help smiling, then immediately became ashamed that I had smiled. She came unreconstructed like a thoroughbred. She smiled, too. "I know they spell it some other way," she explained, "but at the time E-v-a-r-n seemed right to me. So that's what she is now."

The first time I saw Evarn she was in school. She, Mary Ann and Hubert go to the nearby Oakland School. Evarn was about to see the regular movie feature the school offers. I had grabbed Mary Ann and Connie Louise and we had gone around to the school to meet some of the teachers. Evarn saw her sisters with a stranger and couldn't look at the movies for turning and trying to figure out who I was. All through the movies she pssst-ed. Afterwards she joined us and because Mary Ann and Connie Louise accepted me, I was okay with her, too. I was in.

MARGARET ACTIVE

Margaret, 4, hates to be left out of things. She made all the "trips" . . . to the candy store, in the backyard, across the street, up to the corner. Margaret becomes quite fretful when she thinks something's going on which she's not a part of. Margaret hangs on to her mother like a shawl. Whenever we were inside the house, Margaret was planted right beside her mother . . . talking a lot, listening and doodling with the baby's foot. She has that habit of playing with the baby's foot as it rests on its mother's lap.

Connie Louise, 2, is precocious. She has spoiled and she flirts outrageously to gain attention and get hold of the things she wants. She gets them, too. She nestles up to you, rubs her chin along your arm and purrs. What can you do!. You want to pick her right up and take her with you wherever you go.

Tiny Isaiah Nixon Jr. doesn't know what it's all about. He just reached four months. He was only two weeks old when his father was killed. He'll never remember anything of it.

WHY SHE NEEDS A NEW HOME—This pathetic little room, in which eight persons are now living, is mute testimony to the dire need of Mrs. Sallie Nixon and her family for a new home. Mrs. Nixon, above, a comely little woman who wants desperately to get a real home for her children, is barely able to exist in the Jacksonville house they now occupy. She, her mother-in-law and her six children sleep in the three beds of the one room.—Click Photo

Georgia (Nixon)

7860

killed in Austin, Ga., last September when he defied Ku Klux Klan threats and exercised his right to vote.

Sports

Nixon home . . . a Step Nearer Reality

The Courier Pittsburgh Pa. Jul 2-5-49

Architect's drawing of the Nixon home, a five-room bungalow construction, designed by Paul Williams.

'TROTTERS HELP NIXONS—Wendell Smith, Courier sports editor, accepts check for $50 from Abe Saperstein, owner of the famous Harlem Globetrotters, as team's contribution toward the Nixon family fund. Courier is conducting drive to raise money to build a home in Jacksonville for the family. Father of the family was killed last September in Georgia when he defied Klan threat and exercised his right to vote.

Sports Leaders Give $$$ for the Nixons

Pittsburg Courier

Pittsburg Pennsylvania

(7860)

Sat-1-22-49

Famous Harlem Globetrotters Basketball Team and Chicago American Giants Send Checks to Courier to Help Build Home For the Nixon Family

CHICAGO—Leaders in the sports world have joined the nation-wide campaign under the sponsorship of The Pittsburgh Courier to build a home for the family of the late Isaiah Nixon who was killed in Austin, Ga., last September when he defied Ku Klux Klan threats and exercised his right to vote.

His death left a wife and six children in desperate circumstances, and The Pittsburgh Courier is now conducting a campaign in their behalf.

First to come to the aid of the bereaved family among the famous sports celebrities were the Harlem Globetrotters, owned by A. M. Saperstein of Chicago. Before departing with his internationally famous quintet for Alaska this week, Mr. Saperstein donated $50 toward the Nixon fund.

"This is in no measure the amount we'd like to give," said the 'Trotters owner, "but it is a gesture and evidence that we of the sports world are in sympathy with your campaign. The lynching of Mr. Nixon is a blot on the Nation. Maybe this wonderful campaign to take care of Mrs. Nixon and her children will in some way compensate for the suffering they now must endure. The Harlem Globetrotters send this money as a token of friendship to Mrs. Nixon and the family."

J. B. Martin, president of the Chicago American Giants, expressed a similar feeling when he contributed $25 toward the drive.

"The Chicago American Giants," he said, "contribute this money in behalf of the Nixon family because we feel they need help from people in all walks of life. It could have happened to any of us and we should all do everything we can to show the family that we are suffering with them."

Contributions from others in the sports world are being sent to The Courier and will be announced in the near future.

Plans, Drawings Complete For Five-Room Nixon Home

The Courier Pittsburgh, Pa.

Sat. 3-5-49

By EVELYN CUNNINGHAM
(Courier Staff Writer)

PITTSBURGH—The best possible answer to the challenge issued by the murder of Isaiah Nixon took positive form this week when Architect Paul R. Williams of Los Angeles submitted to The Courier complete drawings and plans for the Nixon home, made possible by little and big people throughout the Nation who felt the dire necessity of rallying to the aid of the Nixon widow and her six children.

The home, a charming little five-room bungalow-type construction, represents a protest as well as an answer to the men who shot and killed Mr. Nixon last September in Georgia because he exercised a constitutional right to vote.

The home lays open the hearts of men and women who could not face the stark tragedy and destitution of another without doing something about it. It is and will become even more, a symbol of the most important kind of brotherhood.

Sat. 3-5-49

STAND AS MONUMENT

The Nixon home will stand as a monument to the basic worth of people and to a unity of spirit among people.

The Courier

The lot on which the home is to be erected has already been purchased. It is in a good, residential area of Jacksonville, Fla., only a few streets from a school. There is sufficient space on the grounds for a play area for the children and for chicken coops. (Through all their difficulties, Mrs. Nixon and her mother-in-law, Mrs. Daisy Davis, have managed to tend their chickens which they brought to Florida from Georgia.)

The living room of the home is 14 by 19 feet. There are three bedrooms, with closets in each and special space for double-deck bunks for the children. Mrs. Nixon, Mrs. Davis and the baby will probably use the master bedroom, a 10 by 11-foot room. The other five children will have the two bedrooms in the front and on the side of the house.

KITCHEN LARGE

The kitchen is a spacious one. Refrigeration, sink, range, cabinets, closets are laid out in sections against the wall. There is ample room for a large table, at which eight people must sit and eat. There is a bathroom in the rear of the house, easily accessible from all parts of the house.

Mr. Williams who voluntarily drew plans for the Nixon home and who is presently consulting with Leroy N. Argrett, Jacksonville contractor, on construction of the home, is designer of many of California's most elegant show places. He has built many of the film stars' homes, he has designed hotels, theatres and public buildings, both in this country and abroad. His active interest in the Nixon tragedy and the subsequent campaign for funds for a home has been of incalculable value, both because of the material gain and because of the selflessness of the gesture.

EQUALLY IMPORTANT

But the contributions, small and large, of the scores of other people are equally important. They could not make as dramatic or as large a contribution as Mr. Williams, but they have shown and are showing that all their hearts are just as large and that their desire to do something tangible for the Nixon family is just as fervent.

The Nixons first gained attention when Isaiah Nixon was killed and his killers freed after an indictment in Georgia. Fear for the lives of herself and her children drove Mrs. Sallie Nixon to relatives in Jacksonville. There, since the latter part of September, the six children, Mrs. Nixon and Mrs. Davis have been crowded in one room on three beds; their misery and poverty have been almost unbelievable.

GOOD PEOPLE

This reporter spent a week with the Nixons during Christmas week and found them, even in the face of the worst kind of need and discomfort, the kind of people you WANT to help. They are gracious, humble, intelligent, sensitive, and vitally concerned with building a healthy and happy future for the children.

They are almost pathetically grateful to the people who have aided them and they would like to express that gratitude to each and every person who has interested himself in their plight.

Total amount in the fund to date, $3,840.91, is short of the goal

Fear of Whites Haunts Nixons, Writer Reveals

Pittsburgh Courier

Sat. 1-7-49

The Courier Digs Deep and Gets a Heart-Touching Refugee Story Of a Mother Who Is Fighting for Security for Her Six Children

By EVELYN CUNNINGHAM
Courier Staff Writer
(First in a Series)

JACKSONVILLE, Fla.—Sallie Nixon isn't bitter about the death of her husband. The kind of sorrow she bears is in some sense worse than bitterness. She has a pitiful fear of white people, and 'way deep down I believe she feels that the brutal killing of her husband, at the hands of two white men, was inevitable . . . one of those things that happen to a colored man in the South.

His death has pulled down her shoulders a little . . . dulled her spirits a little . . . given her a weariness far beyond her twenty-five years. But it has strengthened drive to keep her family intact and to give her children everything that is within her reach.

A small woman, barely over five feet tall, Mrs. Nixon stands erect and straight. She weighs about pounds, has clean coffee-and-cream coloring and wears her hair pulled tight off her face. Her hands are strong and almost masculine and a bit of wringing them. ...is good, especially for ...ho has borne six chil-

SAW KILLING

...on was 25 Dec. 11. Her ... is 10, the youngest four ...e baby was only two ...and his mother only two ... bed when Isaiah Nixon ... death because he had dared to go to the polls and vote. Mrs. Nixon saw the slayings. Her children stood on the porch and saw it.

Mary Ann, 10, says, "They shot a whole lot of bullets in him and killed him."

Hubert, 7, Evarn, 6, Margaret, 4, and Connie Louise, 2, don't say anything at all about it. They just stare down at the ground and look to their mother to say what's necessary.

The kids are cute. They're going to be very attractive men and women. All of them have eye lashes that look as if they'd been touched with mascara, their skins are smooth and watery-clear and they wear the kind of smile that broadens your own smile.

MANY SEEK ADOPTION

People who have seen them have actually asked Mrs. Nixon for one of them. Even many who have not seen them but who are acquainted with the story of the family, have asked to board or adopt one or all of them. These folks feel that they are taking a heavy load off the mother and their intentions can be appreciated.

But Sallie Nixon would no more part with one of her children than she could stop loving them. She has a desperate, touching, all-consuming love for them. She's somewhat embarrassed when people offer to take care of them for her. She seems to feel that they are pitying her for having had so many children. But she tells them, "No matter how many children I have . . . even if I had more . . . I'd miss any one of them that wasn't with me." She has said this many times and each time she has, she has pulled four-month-old Isaiah Jr. closer to her bosom and has looked down at him as if she wanted him, too, to know.

JUST LIKE A KID

We were riding toward the outskirts of Jacksonville one day, and we had to pass through the heart of the city to get where we were going. The large department stores had outdone themselves in their Christmas displays and the streets twinkled with all kinds of holiday color and sound.

I don't believe Mrs. Nixon had ever seen such lavish Christmas adornments. At every window, at every decorated tree, she exclaimed, "Oooh, the children should be here! The children oughtta see this! I wish we'd brought the children with us! We gotta bring the children back!"

We went across a long bridge. Sallie Nixon was "Oooh! Looka the water, the boats!" Perhaps she seen too many boats or too water. I don't know. But the . . . the absolute thrill . . . possessed her at the sight of the water and the boats was amazing. I'm certain the kids will be taken back there, too, to see the water and the boats.

LIKES TO LAUGH

Sallie Nixon likes a good laugh. And she is one of those rare people who can laugh at herself. She particularly enjoys telling about the time she and her family were "missing." During the time she was moving from Georgia to Florida, The Courier was frantically trying to locate them. They were reported missing. A front page story was carried to that effect. Almost simultaneously, the Nixons arrived in Jacksonville. They read that they were missing. Their friends in

7861

Mallard Lawyer Puts Okay on Ga. 'Justice' At End of Lynch Trial

Pittsburg Courier

(27a)

(Special to The Pittsburgh Courier)

SAVANNAH, Ga.—Atty. Aaron Kravitch, employed by the Georgia Defense Committee to represent Mrs. Amy Mallard, widow of Georgia's latest lynch victim, issued a statement last Wednesday commenting on the fairness of the Mallard trial held in Lyons last Tuesday.

He admitted that the Mallard case was unfortunate from several angles, but said, "I am satisfied that there will be few Mallard cases in the future."

Mr. Kravitch's statement follows:

"The Mallard case was very unfortunate from several angles. It came at a time when the question of Federal intervention in lynch cases is before Congress, and the right and wrong of this issue can be confused when killings of this kind occur.

"It was very much over-publicized and seized upon by would-be Northern agitators to cash in on a gullible public. I understand that this has happened in this case.

"It must be remembered that such cases are extremely hard to unravel. They happened at the most unexpected times and usually in remote parts where there is little likelihood of corroborative evidence being obtained.

"I have been in this case almost from the beginning as Amy's attorney, and I am satisfied of three things. First, my original statement that I did not believe this was a Klan killing still stands. Second, I doubt that it was a premeditated killing. I rather think it was the act of a local hothead who had banded himself together with a few local gentlemen to scare Mallard away from those parts. Third, the evidence was very weak and an acquittal would have been rendered by a jury in a section where no question of bias or prejudice could have entered into the case.

"I believe it was unfortunate that two jurors were called on to testify. While this is legal it is unusual and immediately would give those who hate Georgia the right to holler 'packed jury.' I also believe it was unfortunate to attack Amy's character. This woman having taught in the Toombs County schools for years and an attack on her at this late date was a rather vindicative stab after all she had been through.

"I appreciate Georgia courts after yesterday's trial. I never saw a finer example of judicial dignity and fairness as was manifested by Judge Robert H. Humphries. [illegible]

Paul Williams to Donate Services

Famed Hollywood Architect To Design Home for Nixons

Pittsburg Courier

Pittsburg Pennsylvania

Paul R. Williams, creator of some of the most magnificent homes in the world, and godfather of the small, intimate, personal home, will furnish plans for the Nixon home. Mr. Williams wired The Courier this week that he "would be happy" to design the home that will be built by funds from people throughout the country.

The Nixon home will be a modest, comfortable one, with conveniences and sufficient space for privacy for members of the family. Mr. Williams, during the past few years, has been concentrating on low-cost homes for rural areas, especially in the South.

EIGHT IN ONE ROOM

Mr. Williams' offer, the first concrete step in the erection of a home for the family of eight who

NIXON FUND NEARS $2,000

See Detailed Listing Inside

since September, have been sleeping in one room on three beds, has spurred the Nixon Fund campaign.

The need now is for wider and greater contributions to the fund. More is needed before the ground can be broken. Representatives in Jacksonville are searching for a piece of property that will be suitable for the home and an [illegible] to Mrs. Nixon.

WILLIAMS' RECORD

Paul R. Williams has designed over two thousand homes in South and California and in various sections of the United States, Mexico and South America. He started his career as a designer of interesting homes by winning three national competitions, in one of which over three thousand designs were submitted. It was due to the tremendous popularity of this winning design that Mr. Williams started planning small homes with the living side of the home facing a private garden.

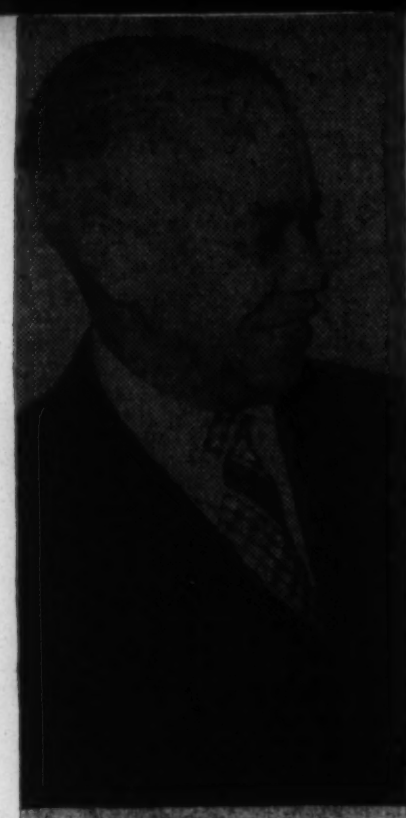
The principal formula which has made these homes so popular is that they are designed around the way the owner lives, which gives them personality. This accounts for the fact that so many motion picture stars and executives in Hollywood and Beverly Hills live in homes designed by Paul Williams.

Mr. Williams is a member of the National Technical Association and the American Institute of Architects.

NEW YORKERS ACTIVE

Meanwhile the Committee of Women, a group of prominent New Yorkers, are continuing their efforts in behalf of the Nixons. More than two hundred dollars in clothing, toys, food and books have been sent the family. One item of special interest was the popular children's book, "My Dog Rinty," donated by L. H. Michaur, and autographed by the author, Ellen Tarry.

Chairman of the committee is Mrs. Fred Norman, administrative secretary of the New York City Cancer Committee, Harlem Division. Co-chairman is Mrs. Thomas Bembry. Other members are Pearl Grisson, Jesse Miller, Rosa Lee Jones, Pauli Murray, Eleanor Johnson, Maida Springer, Ann Boyd, Ann Edwards, Olivia Frost, Marie Beathould, Helen Simmons, Muriel Rahn, Mrs. Edwards, Alonzita Flood, Mrs. John Herbert, Carita V. Roane, Latis Campbell, Mrs. Richard Baltimore Sr., Bess Hunter Robinson and Florence Lucas. Marvin B. Eckford was the other



PAUL WILLIAMS
"Happy to Help Nixons"

male contributor. Pittsburgh Courier Sept. 1-15-49

Sports, Theatrical World Join Nixon Fund Campaign

By EVELYN CUNNINGHAM
(Courier Staff Writer)

Mrs. Nixon Thanks Everyone Through Courier

PITTSBURGH—The realization of a new home for the Nixon

week as organized drives throughout the country are gaining momentum and figures from the sports and entertainment world are rallying their numbers for an all-out offensive to bring the Nixon Fund to the top.

First response this week from the sports world came from Abe M. Saperstein, owner of the Harlem Globetrotters basketball team who sent a contribution of $50. Close behind came a check for $25 from the Chicago American Giants. Wendell Smith, Courier sports editor, has started a double-barreled drive among sports luminaries to swell the Nixon fund.

Billy Rowe, Courier theatrical editor, has enlisted the support of theatrical leaders in a concerted drive to make felt the traditional big hearts of stage folks.

Meanwhile, Mrs. Sallie Nixon, the widow of six children who is living, along with her mother-in-law, in one room on two beds and a crib in a Jacksonville (Fla.) shack, has authorized The Courier to solicit funds for the building of a new home for her and her family.

The family was left destitute last September when two white Georgians shot and killed her husband, Isaiah Nixon, after he had gone to the polls and voted, despite warnings from whites of the Georgia town that Negroes stay away from the polls. Isaiah Nixon ignored the warning, exercised one of his basic and most priceless rights and paid the highest price.

The Nixon family's plight has been brought to the attention of people all over the Nation. They have offered aid. The Courier, in an effort to rehabilitate the Nixons and to give concrete testimony to the willingness of all Negroes to help another less fortunate, launched a campaign the first of the year to build a new home for the Nixons.

WILLIAMS' OFFER

Almost immediately after the campaign was announced, Paul R. Williams, internationally respected architect of California, offered to draw plans for the home, without charge. Mr. Williams has built the homes of many of Hollywood's biggest stars and has designed some of the most magnificent hotels and public buildings in the world.

NIXON LETTERS

Mrs. Nixon's formal authorization to The Courier, addressed to Mrs. Robert L. Vann, president and treasurer, of The Courier, states:

"This is your authorization for me to grant permission to The Pittsburgh Courier to solicit funds for us. We understand that you will try to collect enough money to build a modest home for me, my six children and my mother-in-law.

"We want the country to know how grateful we are to them for what they have already done, and we feel that your efforts will have God's blessings. Sincerely, Mrs. Sallie Nixon."

In another letter to William G. Nunn, Courier managing editor, Mrs. Nixon writes:

"I am very proud to know that you are interested in helping me toward getting some place for me and my family to live in. And I appreciate it very much because we are very crowded. I will be happy to see the day come when we can get some relief. I hope and pray that I will get more space for my family by the help of God and the good people of this country.

"So pray for me and my family and thank you for doing all within your power to help me get some place to live.

"May God be with you forever. Yours truly, Sallie Nixon."

Architect and Contractor Getting Busy

Buy Fla. Lot for Nixon Home

By EVELYN CUNNINGHAM
(Courier Staff Writer)

PITTSBURGH—A lot for the Nixon home has been bought! A 55x125-foot piece of property has been purchased by The Courier to construct a home so desperately needed by Mrs. Sallie Nixon, mother-in-law and her six children who were left destitute after the murder of Isaiah Nixon last September by two white brothers who objected to his having voted.

A purchase price has been set, title insurance and binder paid and papers signed this week after realtor L. I. Alexander of Jacksonville, Fla., offered Mrs. Nixon the lot she found most acceptable.

The plot is located in a desirable section of the community, it is not far from a school, (three of the Nixon children go to school) and it is FHA-insured property. Mrs. Nixon was quite pleased with it when she, her mother-in-law and her aunt went to look at it. Thus the first step has been taken.

Paul R. Williams, eminent Los Angeles architect, designer of the homes of many Hollywood film stars, is presently completing drawings for the home. Both he and Leroy N. Argrett, Jacksonville contractor, are burning coast-to-coast wires, getting together on technical problems, suggestions, ideas, plans and figures concerned with construction of the home.

Widest cooperation is expected from makers of building materials in and about Jacksonville. Mr. Argrett is hoping to purchase most of the materials, either at cost or below cost.

MODEST BUILDING

The house itself will be a small, modest building, with sufficient rooms and space for the comfort of the Nixons. Mr. Williams, for some time, has been studying and building low-cost, small homes, concentrating on providing a maximum of living space and conveniences.

The campaign continues to grow, although there are not sufficient funds on hand to furnish the home after it is built. Many late drives are underway throughout the Nation and many groups are rallying their forces to place furnishings in the home.

BASKETBALL BENEFIT

A sizable contribution is expected from a Nixon Benefit basketball game, March 12, in Detroit's Olympia. Owner A. M. Saperstein of the fantastic Harlem Globetrotters is pitting his team against the New York Nationals in a twin-bill that will draw in the neighborhood of 17,000 persons. The other half of the bill will feature the Kansas City Stars, featuring the sensational Sammy Gee, against the bearded House of David Five.

Mr. Saperstein assured The Courier that part of the proceeds from the game will be directed toward the Nixon Fund. The Globetrotters have already made a contribution to the fund.

H.A.G. CLUB

A group of young Pittsburgh women, the H.A.G. Club, are laying final plans for their Nixon Benefit Dance, March 1, at the Aragon Ballroom in Pittsburgh.

Red Miller and his trio, the outfit that zoomed to fame with a recording of "Bewildered," and the Savoy Sultans orchestra from New York are playing for the benefit. Both outfits have turned down lucrative offers to be on hand to do their part for the Nixons.

The H.A.G. Club, one of the most active and prominent in the Pittsburgh area, are also expected to turn over a healthy sum to the fund. Local owners of night clubs and cabarets have volunteered to send to the dance all current headliners in their respective shows.

LUNCH ROOM PATRONS

A contribution of $7 came this week from "Patrons of the Park View Inn Lunch Room." These people, representative of many, many others who get together casually, talk about a problem and suddenly decide to do something about the problem, did just that. The move was spontaneous.

A $10 check was sent from a soldier in Japan, Pfc. Lewis Hodge, with the Twenty-fourth Infantry Regiment. Private First Class Hodge wrote: "I feel it my highly regarded duty to present this mute contribution toward the welfare of the family."

A chapel collection at Talladega College, Talladega, Ala., added $27.60 to the fund, and the Willow Grove Benevolent Association of Wallace, La., placed $7.20 into the coffers.

A group of patients in Ward Fifteenth South of Firland Sanitarium, Seattle, Wash., contributed $7.15, after "passing the hat."

7862

FOR THE NIXON HOME — Help for The Courier Fund for a Nixon Home comes from a company of soldiers stationed in Alaska. Members of the Fifty-second Transportation Stevedore Company, Port of Adak, Alaska, sent The Courier $200 for the Fund. These are a few of the men making their contributions at the height of the rally. Seated: M/Sgt. Willie Johnson, Petersburg, Va. Standing, left to right: Pfc. Arrester Jones, Detroit, Mich.; Corp. George T. Johnson, Wichita, Kan.; Corp. Clarence Royster, Detroit, Mich.; Corp. William E. Russell, Richmond, Va., and Pfc. Lawrence Harris, Jackson, Miss. Sat. 2-26-49

GIs in Alaska Give $200 to Nixon Fund

Pittsburgh Courier (27a(1)) Pittsburg, Pennsylvania

PITTSBURGH—Far away from their own security of home and family, a group of soldiers have given eloquent testimony to the way they feel about the security of someone else's home and family. They have read of The Courier Fund to build a home for the Nixon family. They have done more and their share to assure some degree of security for Mrs. Sallie Nixon and her six children. Their money order for $200 from Port of Adak, Alaska, speaks volumes.

Organized by M/Sgt. Willie Johnson of Petersburg, Va., men in the Fifty-second Transportation Stevedore Company, from every section of the country, dropped their quarters and dollars into a special fund created by Sergeant Johnson. In a letter accompanying the contribution, the men stated that they "want to believe that the soldiers of our race are fighting for liberties."

The fund this week reached $1,629.75, past the halfway mark.

Mrs. Nixon, the little Georgia mother, whose husband was killed last September because he went to the polls and voted in the Georgia primaries, is expected this week to select a site for the home. She and her mother-in-law and her six children have been cluttered in one room in Jacksonville, Fla., where the family fled after her husband's death.

GROUND-BREAKING NEAR

Mrs. Nixon is looking over three sites offered by John S. Harris, Jacksonville realtor. The Courier awaits only her approval of one of these lots to wire its size to Paul R. Williams, prominent Los Angeles architect, so that he may immediately draw plans for the modest home.

During construction of the home, another concerted effort will be directed toward furnishing the home. Furnishings will be needed for at least three bedoorms, a kitchen and a living room. Some women's clubs have already expressed interest in taking on the furnishing of a complete room as a project for their organizations. This kind of participation is needed. The house must become a home.

The fund this week was swelled by still another response from the sport world. The Kansas City Monarchs contributed $25. The Wilberforce Lodge 2, F. and A. M., Xenia, Ohio, also sent $25.

MAYOR WRITES

Mayor David L. Lawrence of Pittsburgh following a conference in his offices last week with Mrs. Nixon, forwarded a check for $10. "I hope this will help a little," Mayor Lawrence wrote. "I am sorry I am not in a position to make it more. I think this is a very worthy act upon the part of The Courier to help this poor widow and her six children."

Fight Manager's $200 Makes $2,743.62

Sallie Nixon Finds Warm Hearts in Ice-Cold North

Pittsburg Courier (27a(1)) Pittsburg, Pa.

Michigan Churches Rally to Courier Campaign; Pennsylvania Ministers Organize Drives to Help Build Nixon Home

Sat. 2-5-49

(Special to The Courier)

PITTSBURGH—A new home for the Nixons and an answer to the immediate needs of the Nixon family came nearer realization this week with the efforts of an organized drive among churches and religious groups in and about Detroit, Michigan, and Pittsburgh, Pa., and a $200 contribution from Frank Palermo, manager of world lightweight champion Ike Williams.

The plight of the Nixons was called to Palermo's attention by Courier sportswriter W. Rollo Wilson. "I'd like to help them," Palermo said. "Come up to my office and I'll give you $100," he advised at the Williams-Gavilan fight in New York on Friday.

But when The Courier reporter and photographer saw him Saturday night he was so impressed with the miseries the Nixons had undergone that he added $100 cash to the check which his secretary had already drawn.

Two benefit programs on Sunday and another this Tuesday night brought citizens from all parts of Wayne County, Mich., to the call of The Courier-Nixon Fund. A meeting at St. Peter AME Zion Church, of which the Rev. McKinley Metcalf is pastor, raised $200. Mrs. Nixon turned one-half of this amount over to the Nixon Fund for a new home. Another meeting the same night was held at St. Stephens AME Church. A total of $250 was raised there. The Tuesday meeting will be held at the Leland Baptist Church in Mt. Clemons.

Mrs. Nixon made the trip to Detroit as the guest of the Rev. Mr. Metcalf. She spoke at the Sunday meetings and will speak again Tuesday.

PA. CHURCHES

Meanwhile churches of Allegheny County have started giving full force to a program to swell the fund. The First AME Church of Clairton, Pa., has contributed $28.21. The Rev. S. J. Wright is pastor of this church. In Pittsburgh, the Christian Tabernacle Church, 569 Francis Street, of which the Rev. J. W. Harty is pastor, donated $16.65 to the fund.

More responses are coming in from the sports world. A check for $25 was received by The Courier from the Indianapolis Clowns' baseball team and $10 was contributed by the Birmingham Black Barons nine.

Total of the Nixon Fund to date is $2,743.62. Although the campaign is showing marked progress, much more is needed to meet the estimates set for the home and lot.

The necessity of a home for Sallie Nixon, her mother-in-law and her six children is becoming increasingly apparent. The children are growing and expanding and are finding it more and more difficult to "bunk." "Bunking" in this case means that all six of them, their mother and grandmother are sleeping in one room on two beds and a crib.

AN OBSESSION

Getting a home for her family has become an obsession to Mrs. Nixon. She talks about it constantly. She repeats, time and time again, that she wants a home and security for her children. She feels, and she is right, that they are not living normal, healthy lives. She is in constant fear that one of the children will contract a contagious disease and spread it to the others. Six sick children in one room might mean a catastrophe.

Paul R. Williams, one of the Nation's most able architects, has volunteered to draw the plans for the Nixon home. It will be a small building, with modern conveniences and sufficient bedroom space for privacy and comfort for all members of the family. Nego-

tiations are still going on for the purchase of a lot. There will be space for some farming. (The Nixons farmed in Georgia.) And the children will have plenty of room for a play area.

SOON AS POSSIBLE

The Courier wants to break the ground for the home as soon as possible. It wants to see this project through at the earliest possible day. The Nixons need it desperately. And it is a small return for the price they paid in the loss of Isaiah Nixon, their father and husband, who was shot and killed by two brothers of Alton, Ga., who objected because Nixon had gone to the polls and voted in the primaries.

Mrs. Nixon said in Detroit last week that had it not been for her children, she might have tried to avenge her husband's death, even at the cost of her own life.

NO REASON AT ALL

"That's why I had to leave Georgia," she said. "I couldn't bear seeing those two men walking around town, scot free, and my husband dead for no reason at all.

"We're doing pretty well right now. Thanks to kind people everywhere. But how we need some place to live! How I want a home for my children!"

Everyone's help is needed to build that home. Time is important. The Nixons deserve, as well as need the home. Add your name to the list of those who have contributed to The Courier's Fund for a Home for The Nixons.

Send Your Contributions Today!

Please Help Furnish Nixon Home

By EVELYN CUNNINGHAM
(Courier Staff Writer)

PITTSBURGH—A tiny spark of an idea that was fanned into a flame by public indignation and protest, will, within a few months, emerge as one of the greatest and most gratifying projects The Courier has ever undertaken.

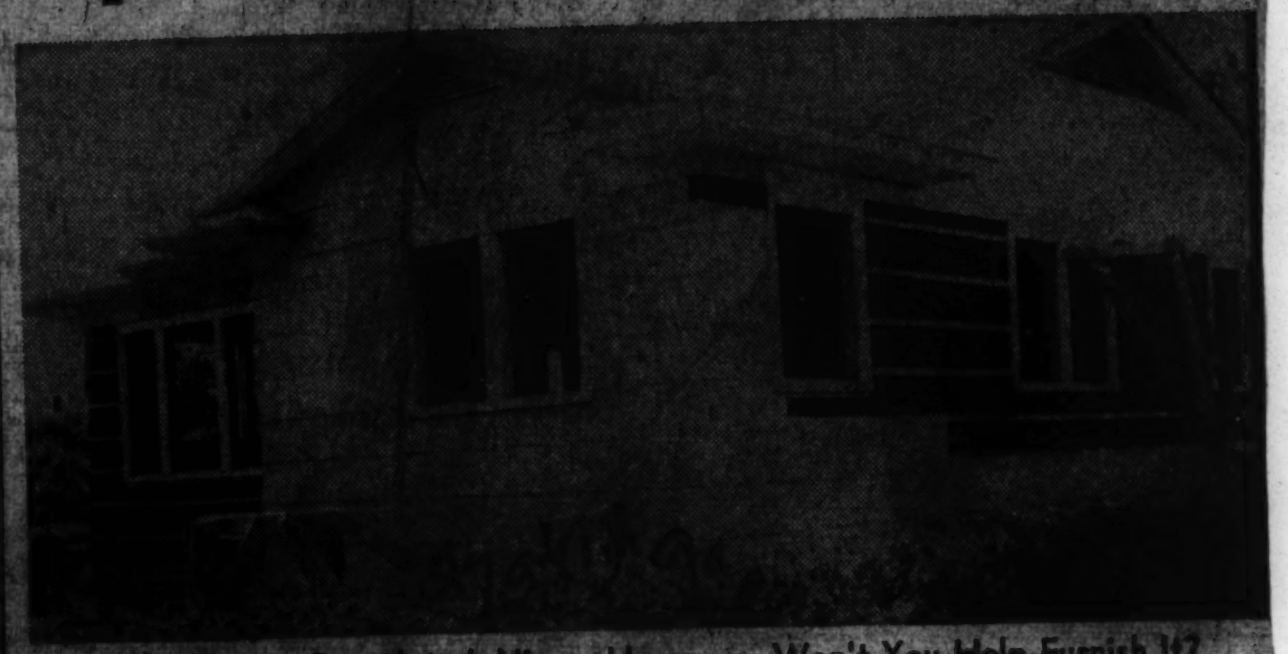
For this project attracted the full and unqualified support of people throughout the world. It wasn't too difficult for The Courier to play the Pied Piper. Isaiah Nixon, a Georgian, was shot to death because he went to the polls and voted despite warnings not to do so. His widow, Sallie Nixon, and their six children fled to Florida where they found refuge with relatives. Since last September the Nixons have been living in near-abject poverty in a two-room shack in Jacksonville.

It wasn't too difficult for The Courier to point out the dire need of a home and shelter for the Nixons, to create a special Nixon Home Fund. And it wasn't too long before dimes and dollars from big people and little people were pouring into the fund.

All along the way there were heart-warming stories of people who could ill-afford to contribute to the fund . . . but who did. There were special benefits for the Nixons. There were offers . . . hundreds of offers . . . to adopt or take care of one or more of the Nixon children. There was every conceivable kind of gesture made to help build the home for the Nixons.

Paul Williams, the famous California architect, offered to draw plans for the house . . . and did . . . and Leroy Argrett, Jacksonville contractor, rolled up his sleeves for the construction work.

Send your check, money order or cash for the Nixon home furniture to The Pittsburgh Courier, 2628 Centre Avenue, Pittsburgh 19, Pa.



The Almost-Completed Nixon Home . . . Won't You Help Furnish It?

ALMOST COMPLETED

The five-room home is rapidly taking shape and form. It is everything a dream house should be. Located on the corner of Bliss and Ninth Street, it is situated near a school and among congenial neighbors. These neighbors, incidentally, are already planning the grand house-warming when the Nixons move in.

Early this fall it is hoped the Nixons will be safely and comfortably housed in their home. Whether or not they do depends entirely upon what sort of response is made to this last, urgent, necessary appeal.

NO FURNISHINGS

There are at present no furnishings for the Nixon home. The funds for the Nixon home have all gone into just that—the Nixon home. Additional funds are needed almost immediately for furniture, appliances, kitchen utensils, curtains, beddings, accessories and all those things that make a house a home.

Some of these items, as bedding, linen, china ware and the like, can be taken care of by individuals or organized groups. The Courier Women's Department is making a special appeal to women's clubs to assume these responsibilities as special projects.

NOT MUCH TIME

For the larger items of household furnishings, money is needed so that the beds, chairs, rugs, etc., can be bought as early as possible. It is hope that furniture merchants will take a lead hand in this direction.

The Courier has named a special committee of persons versed or experienced in home decoration, economy and management. This is the group who will put to the best possible use the fund for the Nixon home furnishings.

Even if you have already helped, won't you help again Or perhaps if you never got around to contributing to the original fund, you can make it up how. We're too near the finish to back down now. Send any contributions to The Courier Nixon Fund, Pittsburgh Courier, 2628 Centre Avenue, Pittsburgh, Pa.

27d 1949

Booklet-"How to Stop Violence! Intimidation! In your Community.

7865

Southern Booklet Tells 'How to Stop Violence'

Anti-Defamation League Backed Publication

Judge Views Liberal Strides of South

ATLANTA—"How To Stop Violence! Intimidation! In Your Community" is the title of a booklet just released by the Southern Office of the Anti-Defamation League of B'nai B'rith. Judge Emanuel Lewis, of Savannah, chairman of the Southern Regional Board of ADL, has announced.

"Liberal strides have been made all over the South, and our leadership, in the main, is guiding our efforts towards the goal of enlightened progress. The evolution of the South has on occasion been retarded, but not for long.

"Among the enemies who would retard this process of conscious evolution are terrorist organizations," states Judge Lewis in a foreword to the booklet whose co-authors are Alexander F. Miller, director of the Southern Office, and Morris Abram, an Atlanta attorney.

Answer to Requests

The pamphlet was prepared in answer to the many requests for information about legislation, either existing or proposed, on this subject.

The booklet discusses the several types of laws to curb terroristic organizations, the legal background of the laws, and the ways in which these laws can be used most effectively.

Model laws illustrating each type are contained in an appendix at the end of the booklet.

Anti-Mask, Anti-Cross Bills

Several of these laws, notably the anti-mask bill and the anti-cross burning bill, have been enacted in 22 communities in Georgia, Tennessee and Florida. Alabama recently passed the State anti-mask act.

Commenting on the booklet, Judge Lewis points out that, while legislation cannot make morals, or control mores, the activity promoting legislative action and the legislation itself can influence public thinking and form an important part of the expression and implementation of public opinion.

The gap between law and law enforcement is clearly recognized, and the responsible citizen is charged with the responsibility of causing this gap to be closed and ensuring that law enforcement of-

ficers are held responsible for the just discharge of their duties.

Toward Solution of Bigotry

"While we of the South have contributed our full share of the problems resulting from discriminations, this booklet is another demonstration that we also are contributing more than our full share toward the solution of the problems of bigotry," says Judge Lewis.

The Anti-Defamation League of B'nai B'rith is an education organization which seeks to build in the lives of all Americans those basic attitudes on which good human relations are founded.

7721

I Love America!

THREE weeks ago, mobs in Lake County, Fla., began a series of attacks on the Negro citizens of Groveland and other nearby communities within the county which culminated in the murder of one Negro by white lynchers. This Negro boy was said to have been one of four involved in an alleged attack on a white woman and her husband. The other three, indicted, are in jail.

For more than ten days, these white mobsters terrorized Negro settlements, burned houses, defied the police and the National Guard. The leaders of the mob were well known.

More than four hundred Negroes are reported to have fled from their homes.

THERE HAS BEEN NO WORD OF A SINGLE ARREST TO DATE.

A few weeks ago, a demented Negro attacked a Catholic priest in New Orleans and inflicted wounds which caused the death of the priest. This demented Negro was murdered in jail.

The grand jury of Orleans Parish investigated this case, but FAILED TO TAKE ANY ACTION.

Only last week, a mob of night-riders rode down upon the home of a Negro in South Carolina and shot and beat him and his brother.

At the time this article is written, NO ARRESTS HAVE BEEN MADE.

The above examples of the non-existence of police protection or care for Negro citizens are taken from the South, but it should be stressed that although the South may be the worst offender, Negro citizens cannot trust the police to protect them in any part of this country.

The Federal Constitution guarantees protection of the lives and property of the citizens of the Republic.

But it is a simple and demonstrable fact that wherever there are differences, with whites on one side and Negroes on the other, there is rarely sufficient and proper protection for the Negro.

* * *

If Negroes, openly and concertedly, had acted to terrorize the whites of any Florida community for any cause, the JAILS WOULD HAVE BEEN FULL OF NEGROES BY NOW.

If a demented white man, accused of the killing of another person, had been mysteriously slain in jail, there would have been action and public pressure for action.

If a mob of night-riding Negroes had ridden down upon a white family and shot and beaten up its male members, there would have been speedy action to round up Negroes, guilty or not guilty.

The situations do not have to be reversed.

When whites break out against other whites, action is speedy and determined. In Alabama, where the Klan has made the mistake of terrorizing whites, the Klan leaders have been thrown in jail and the Legislature has taken steps to outlaw the organization.

If Negroes in St. Louis were to attempt to drive whites, any whites, from swimming pools in St. Louis, scores of Negroes would end up in jail with cracked heads.

The same would be true in Chicago, Detroit, Cleveland, Pittsburgh or Philadelphia.

* * *

The most situations where there is interracial conflict, the Negro is the VICTIM, but he is not allowed TO STRIKE BACK.

Those who attack him can burn his home, take his life and spit upon the Constitution, but rarely are arrests made. If Negroes are beaten up, they are carted off to jail and efforts are made to find out what they did to the whites so that charges can be filed AGAINST THE NEGROES—THE VICTIMS.

Negroes know all these things. They know there is a lawless element in every community against which they must be on their guard. They also know, from New York to San Francisco and from Maine to Louisiana, that they cannot, like whites, look to the police for enforcement of one of the plainest guarantees of the Constitution.

Our best friends among whites can scarcely appreciate what it means to live from day to day without this sense of security, with the fear that a man, regardless of his station in life, may, for no cause for which he is responsible, be the victim of the white mob or the police, the so-called guardians of the law.

* * *

Would whites, consistently and deliberately denied this protection, stand up and sing, "I Love America?"

What kind of stuff on the inside of them does it take for the Negroes of Groveland, Fla.; New Orleans, South Carolina, St. Louis and many, many other places, to stand up and sing, "I Love America"?

So far there has been only one Paul Robeson to assert himself among Negroes.

But if conditions were reversed and whites had to suffer at the hands of Negroes what Negroes now suffer from their white fellow-countrymen, how many Paul Robesons would arise among them?

Would the siren song of these whites then be, "I Love Russia" or "I Love America"?

The answer is clear because even today, without the provocation of Negroes, there are scores of whites, for every one Negro, who peck at the foundation stones of our nation. While they do this, Negroes sing "I Love America."

Suggests July 4 Also Be "National Anti-Lynch Day"

A "National Anti-Lynching Day" has been suggested for every July 4, as a special day for silent protest against "the intolerable situation existing in this country today in regard to the lynching of American Negroes."

The idea stems from Dr. Lovelace B. Capehart, executive member of the Citizens Democratic Club, 201 W. 120th St., Sunday, in a telegram forwarded to the metropolitan press.

"The Citizens Democratic Club, 11th A.D., has authorized me to propose to America and the world that a special day be set aside for silent protest against this barbarism," the message reads.

"The first such day be July 4 and thereafter on July 4 of each year until this despicable crime against humanity has been wiped out by Federal protective legislation.

"On such days every Negro in America and every firm believer in democracy from every quarter of the globe, sharply at 11 a. m. is asked to stop whatever he is doing wherever he is and look toward Washington, bow his head for two minutes in silent memory of the victim of lynch law and reverent protest against its continuation."

7866

Lynching—America's Shame—Help Stop It!

No other Nation in the world tolerates the evil practice of lynching as does America. You have a responsibility in helping save her from this scorn and shame. Tell your Congressmen and your senators that you are depending upon them to do their utmost to secure the passage of an anti-lynch law before the present Congress adjourns. Better still, wire one of the following below:

Here's who to write:

Hon. Scott Lucas
Senate Majority Leader
Senate Office Building,
Washington, D. C.

Hon. Sam. Rayburn
Speaker of the House,
Housing Office Building
Washington, D. C.

Hon. William L. Dawson
House Office Building,
Washington, D. C.

Hon. Hubert Humphreys
Senate Office Building,
Washington, D. C.

Don't say "There's nothing I can do." That's the argument of the defeatist. Act Now! Write these leaders today! Lynching must go or America will become a second-rate power in world influence!

Survey Indicates Growing Opposition To Mob Action

Against Terrorizing By Masked Hoodlums Individuals, Organizations Join Crusade

ATLANTA, Ga. — Recent efforts on the part of hundreds of individuals and organizations throughout the deep South and border states to prevent recurrence of intimidations by masked and unmasked bands against individuals or racial or religious groups, appear as a ray of light piercing the darkness of one of the bloodiest years of mob violence since the end of the Civil War.

In the first seven months of this year, more than 100 incidents took place. Nearly all of the actions, including the beating of 50 individuals have been intimidations for racial, religious or moral reasons.

Also, included on the list are mob actions in the border cities of Washington and St. Louis, one lynching, four other mob actions in the deep South, the burning of three Negro homes in Florida and the bombing of four homes.

ROOTED IN RECONSTRUCTION ERA

The history of such action has its roots in the poverty-stricken era of the Reconstruction Days when the Klan came into being as a force to restore the franchise to ex-Confederates and to seize control of the South from the hands of carpetbaggers, scalawags, and the newly freed slaves they used as tools.

When the last Union soldier left the South in the 1870's, the Klan was officially disbanded. However in later years, the fear that Negroes might rise to political power, fears that they might become economic competitors, and an admitted desire to "keep them in their places" led to the revival of Klan activities and mob rule.

In recent months, through newspaper publicity, plus the efforts of church groups, judges, civic associations, veterans organizations, and interested individuals, the Klan has been revealed as an empire which sets its own rulings above the law.

In the meantime, state legislatures in several southern states and local law enforcement officers have already begun to lay the ground work to end such intimidations by refusing to bow to the edicts of the Klan or of mobs.

CONCRETE ACTIONS

In Alabama, the state legislature has passed an anti-mask law and a special grand jury has returned flogging indictments against 18 men. Another grand jury is investigating the influence of the Klan in the police department.

In other cases, sheriffs have refused to turn colored prisoners over to mobs. For example, a sheriff at Tavares, Fla., refused to turn over two prisoners accused of raping a white woman.

This same sheriff did not hesitate to call out the National Guard for help when mobs terrorized the nearby colored communities as a result of the alleged crime.

In Houston, Miss., a sheriff refused to disclose the hiding place of a colored prisoner also accused of rape.

In Nashville, Ga., a local sheriff calmly rescued an innocent colored prisoner from a mob following the alleged attempted rape of a white woman. In Little Soperton, Ga., Mayor Jim Peterson snatched the hoods off the heads of three Klansmen.

Governor Fuller Warren of Florida described Klansmen as "hooded hoodlums," and "sheeted jerks." Alabama's Gov. James Folsom bluntly announced that he had no intention of letting any small bands run the state.

JUDGES LEAD FIGHT

Judges have been among the leaders in the fight against the Klan and hooded lawlessness. Chattanooga Criminal Court Judge Rauiston Schoolfield told a grand jury:

"For every grievance we have, there is a court of redress. This (mob rule) is one of the most cowardly forms of law violation."

The judge then added this broadside: "We here in the South have a right to run our own affairs . . . yet the people who claim they have a right to pass federal laws have a perfectly sound argument when they say we are not protecting our citizens."

Twenty southern towns, in addition to Alabama have made it unlawful to wear masks in public. These towns are:

Georgia — Atlanta, Iron City, Macon, Valdosta, Columbus, Wrightsville, Swainsboro, Gainsville, and Moultrie. Tennessee — Knoxville and Chattanooga. Florida — Tallahassee, Bartow, Miami, Miami Beach, South Miami, Miami Shores, Coral Gables, and Atlantic Beach.

The aforementioned fear that the Negroes might become economic or political power which led to the tolerance of the Klan's intolerance, and the acceptance of the Klan's belief that Klansmen had the right to pass judgment on all men for all reasons, is at last relaxing.

The passage of another war for world freedom, and some honest soul-searching and reflection on the part of southerners is hastening the slow, painful birth of a new South.

7868

RALPH McGILL

The Constitution P. 14
Atlanta, Ga.
27d(2)
Thu. 6-16-49

Also Enemies Of the United States

Alexander Pushkin, who was born June 6, 1799, is the chief literary hero of the past in Soviet Russia. The poet and novelist was a member of an anti-Tsarist society and was exiled by Alexander I.

During this month of June all Russia is celebrating his birthday with exhibits and programs.

One of these exhibits, the chief one, is in Moscow. It is headed by the figure of a hooded Klansman—symbolizing American democracy—and to illustrate it there is a quotation from Pushkin in which he speaks of democracy (as he had read of it in England and the United States) as "cynical in its cruel prejudices . . . in its racial persecution."

France In a letter I have from France a friend, a Georgian on a visit there, writes:

"All the French papers carried page one stories about the lynching in Irwinton, Ga., and the Communist papers were careful to point out that the much vaunted justice of the American system of law was a fraud and a lie."

A letter from an American in Damascus commented:

"The questions asked about the United States are shockingly uniform here and in Beirut . . . they want to know if the rise in unemployment means the free enterprise system won't work as claimed, and they ask about the treatment of Negroes and other minorities. . . ."

These are the most recent samples.

Thu. 6-16-49

Meaning Some time ago I was called down to Toombs County in a lynching case. I tried to say there we must realize that in our time this country is looked to as the most powerful country but also as the one which must supply the leadership—or confidence—in our system of government.

In these days of communications it is no longer possible to cover up news.

Those persons who say, fretfully, and resentfully, "If the newspapers and radio wouldn't play it up there would be no attention paid it," simply don't realize what sort of a world they live in.

All over the world there is a ferment for human rights, and the Russians are claiming their system to be the only one which actually guarantees it. Whenever our stupid Ku Klux Klan beats a grandmother, whips a defenseless person, or burns a cross in front of a home, that hurts the United States. It actually does it great harm in its efforts to build up respect for, and confidence in, the American system.

It is not stretching the truth one least little bit to say that the Klan and the lynchers are of tremendous aid, assistance and comfort to the Communist governments.

I tried to say in Toombs County—and have sought to make it plain ever since—that whenever we defy our own law we do actual, real harm to our country and ourselves.

Lynchings We have had 30 lynchings in Georgia since they began to be recorded and in not one of them have the guilty been punished.

Last year there were but two lynchings. Georgia had both of them. This year there has been one. Georgia had it. In none was there any punishment of guilty persons and, indeed, there remains the grave suspicion that no sincere effort was made to find and punish them.

In our most recent one, at Irwinton, the Georgia Bureau of Investigation had enough evidence to make arrests and was quoted as saying it had enough evidence to indict. A grand jury did not indict.

That, too, will be said over radios in foreign countries and printed in papers. They will say, "You see, the Americans are liars. They do not have a system of justice save for the favored ones. The poor and the colored can get no justice. The American law is a fraud and a lie."

I have seen, and heard that, in foreign countries and it is not comfortable.

Problem It is so difficult to make people understand. A lynching defies the law. It takes the place of the law. It ignores jury trial and judge.

Yet people persist, apparently in good faith, in saying it is no different than any other crime. They ask, "Why make such a fuss over it?" In Irwinton, for example, it was said that if the sheriff had been shot there would not have been as much criticism. Well, of course, there would have been if the law had remained inactive. But I doubt the sincerity of such persons. They know very well that if the sheriff had been shot the guilty would have been followed by posse and vigorously prosecuted and sent to the chair. The grand jury would have indicted. The trial jury would have convicted.

I think it must be a wicked, mean, dangerous mind which defends a lynching by saying, "If it had been a white man killed by a Negro—or a gangster killing—there would be no fuss about it." That is a base falsehood, with no truth in it.

Such a mind knows very well that the jails are filled with such killers—that the law always operates to catch them and jail and electrocute them. They are persons who simply believe it is all right to lynch.

They are enemies of their country and, tragically enough, they don't realize it.

But they are more harmful than the Communists. The KKK is the best little helper the Communists have. And the lynch-minded people and the grand juries which treat lynching casually are doing their country great and lasting harm.

It is necessary that we learn this before it is too late.

South Fighting To Wipe Out Mob

BY BEM PRICE
Associated Press Writer

ATLANTA, Ga., Aug. 6—(AP)—Once again the South is struggling to halt a wave of violence and intimidation by bands of men, masked and unmasked, who set themselves up as plaintiffs, judges and executioners.

There have been more than 100 [illegible] this year.

Nearly all of the actions, including the beating of 50 individuals, have been designed to intimidate for reasons of race, religion or morals.

Border City Outbreaks

THE LIST includes two major racial disturbances in the border cities of Washington and St. Louis.

One lynching, one attempted lynching, four mob actions, the burning of three Negro homes and the bombing of four, are part of the over-all picture.

(Crimes of passion, naturally, are not confined to any one section of the country. Since the first of the year Chicago had a gang-style slaying; Los Angeles its night club shooting of Mickey Cohen, reputed overlord of the gambling syndicates; Michigan and New York their "Lonely Hearts murders; Tacoma its 10 men charged with raping a former inmate of a mental institution; Detroit its shooting of Labor Leader Victor Reuther.

(But the difference between the general run of violence and the problem in the South is largely a factor of racial friction.)

For the South, it has been a nightmare with deep roots in the poverty stricken aftermath of the Civil War — the collapse of a political and economic system built on slave labor.

Not First Time

THIS IS not the first time the South has had a wave of such trouble. During the decade 1920-30, the Ku Klux Klan became so powerful that law enforcement often was a farce and political ambitions were lost without the support of the hooded order.

For much of the time the South dozed complacently until its press finally aroused the public. The newspapers exposed the Klan as an "Invisible Empire" which set its own edicts above the law. Klansmen, squirming in the white glare of publicity, turned on Klansmen, and the empire crumbled.

Now the Klan is resurgent, claiming 17,000 members in Alabama and 25,000 in Georgia alone. Figures for the other Southern States have never been stated.

* * *

Newspapers At Work

WITH floggings, cross burnings and threats hanging over the region once more, the newspapers have gone to work again. They have been joined by church groups, judges, civic associations, veterans organizations and individual citizens.

Birmingham, Ala., is a case in point. With nearly a score of floggings, bombings and threats on the record, all three Birmingham newspapers—The News, The Age-Herald, and The Post—have been scourging the public conscience.

The State Legislature passed an anti-mask law. A special Grand Jury returned flogging indictments against 18 men. The head of the Klan quit abruptly and his successor went to jail for contempt of court for refusing to give the Grand Jury a list of Klan members.

The American Legion formed a Committee of 500 on the heels of the flogging of a Navy veteran, to see to it that law enforcement officers did what they were supposed to do.

Four Grand Juries in and around the tri-state area around Chattanooga (Alabama, Georgia, and Tennessee) have returned indictments against 20 men.

These indictments followed reports that 22 people had been whipped by bands of men, some wearing Klan regalia. One Grand Jury has undertaken to study Klan influence in the police department.

* * *

Mobs Are Resisted

LAW enforcement officers are becoming increasingly resistant to mob demands. A sheriff at Tavares in Lake County, Florida, just last month refused to turn over to a mob two Negro prisoners, accused of raping a white woman.

This same sheriff did not hesitate to ask for National Guard help when mobs terrorized the Negro communities at Groveland, Mascotte and Stuckey's Mill as an aftermath of the crime. Responsible elements in Groveland, foreseeing trouble, loaded scores of Negroes in their cars and carried them to safety outside the county.

In Houston, Miss., when a mob demanded another Negro accused of rape, a deputy sheriff calmly said the prisoner had been carried to another jail for safekeeping.

The attempted rape of a farmer's wife near Nashville, Ga., Aug. 1 set off another mob action in which an innocent Negro was seized. A cool, matter-of-fact sheriff told the crowd:

"You are going to get into more trouble than you'll ever get out of." He rescued the Negro.

27d(2) 1949 White Press(Southern) 7867

'Mob Rule In The North'

As we were saying the other day, we do not, despite frequent and excruciating discouragements, despair of realism in the Yankee press. We frustrated Southerners have destroyed many hammers upon their anvils with notably poor results. But now and again the results are excellent, as may be seen in this editorial from The Buffalo Courier-Express:

Advertiser Wed. 9-21-49

When a lynching takes place in a Southern state, Northerners hold up their hands in horror and talk about "civil rights" and "mob rule." But when the spirit of lynching stalks abroad in the North, under the guise of "labor solidarity," the same shocked lovers of civil rights and haters of mob rule are strangely silent.

Why? What is the difference between a mob of Mississippi farmers, out to take the law in their own hands against some hapless fugitive accused of crime, and a mob of Bell Aircraft strikers, out to beat and maim law-abiding American citizens who ask nothing but the right to go about their daily work?

Montgomery, Ala.

There may be a difference in degree of criminality between two such mobs; but there is no difference morally between lawbreakers in one mob and lawbreakers in the other.

Let's face the hard facts. What started out as an industrial conflict between the Bell Aircraft Corporation and Local 501, CIO-UAW, has widened into a much larger and more ominous conflict. It is a conflict between lawless leaders of the strikers and the power and majesty of the State of New York.

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To return to the parallel with a Southern lynching: When a crime of that nature occurs on the other side of the Mason and Dixon Line, Northerners usually blame the authorities, state and local. Then we hear loud denunciations of sheriffs and other law-enforcement officers who fail to stop violence—and of governors who fail to invoke the full police powers of their states to punish members of mobs.

Well? Are Southern law enforcement officers the only ones who fail to take drastic and courageous action against mobs? Are Southern governors the only ones hesitant to invoke the full police powers of their states against mobsmen and rioters?

Here is New York State, the most populous, the most powerful, the richest of the 48 commonwealths in the Union. And great, proud New York is powerless to deal with a mob which beats up American workmen and threatens not only their livelihood but their lives.

But is New York State powerless? Is it possible that men in high places are afraid to use the rightful powers of the state? If so, whom or what do these men fear?

Surely the leaders of Local 501, CIO-UAW, swollen with arrogance as they may be, hardly are formidable enough to scare the constituted authorities of the State of New York. Can it be the CIO high command which inspires fear? But that high command makes a great to-do over its devotion to civil rights and law and order. Besides, members of non-striking CIO Local 516, as well as members of Local 501 trying to return to work, were among the men beaten up in the outbreak of mob violence at the Bell plant. Not one of these men could be called a strikebreaker—for, since the strike began, the Bell management has not hired any new workers or rehired any of the thousands of available former aircraft workers in this area.

Then is it the so-called "labor movement" which has intimidated the authorities of New York State? That seems hardly plausible. Most members of New York labor unions are law-abiding persons who hate mob rule as much as other right-thinking Americans do.

Who then protects the mobsmen terrorizing American workmen and defying the power of New York State? Why haven't the mobsmen been put where they belong? Are the authorities in New York State really as helpless in the face of labor violence as is a lone rural sheriff in the South, facing a mob bent on lynching?

Let us wipe this blot off New York State's reputation—and the reputation of the Niagara Frontier—before we criticize people in other parts of the United States. And let us wipe it off so effectively that never again will a little gang of agitators hereabouts dare to parrot Boss Hague's "I am the law."

What more could be asked? It is clear acceptance of the fact that a lynching is a lynching regardless of longitude or latitude.

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Florida

7901

3 Negroes Deny Raping Farm Wife

TAVARES, Fla.—(AP)—Three young Negroes on trial for their lives denied that they raped a 17-year-old white farm wife. The incident touched off terrorism by white mobs against Negroes in several towns last month.

The defendants are Samuel Shepherd and Walter Irvin, both 22, and Charles Greenlee, 16. A fourth Negro suspect, Ernest Thomas, was killed by a sheriff's posse.

7402

Lawyers Gird For Fight To Save Wallace

Attorneys for John Wallace, wealthy Meriwether County farmer under death sentence for the "burned bones" slaying of his ex-tenant, William "Wilson" Turner, yesterday girded themselves to wage what they freely admitted was a "delaying action" against his electrocution.

Gus Huddleston, Greenville counsel for Wallace, and A. L. Henson, Atlanta attorney, following a conference here announced two possible courses of action:

1. They will file within the next 10 days an extraordinary motion for a new trial on grounds of new evidence uncovered in Meriwether County.

2. They will file in U. S. District Court a petition for a writ of habeas corpus on the ground that they did not "get our day in court" because of a switch in two State Supreme Court justices during their arguments. (Justice L. C. Grove was replaced by Justice H. Hawkins).

Wallace's motion for a new trial will be filed in Coweta Superior Court before Judge Samuel Boykin, the trial judge.

Justice Grady Head, in writing the high court's opinion, said the testimony of "expert and non expert witnesses" was admissible in this case. The Court held the jury was authorized to find that the fatal injuries on Turner were inflicted by Wallace in Coweta County.

Two eye-witnesses to a beating said Wallace hit Turner hard enough with a gun to kill him. Three doctors held a similar view. Two employees of Wallace, who said they helped Wallace burn Turner's body, said the back of Turner's head was "knocked off."

Land Owner Granted Reprieve For Slaying

ATLANTA, Feb. 2—(AP)—John Wallace, wealthy landowner sentenced to die Feb. 11 for the murder of a tenant farmer, Wilson Turner, received a 30-day reprieve today.

Gov. Herman Talmadge granted the stay of execution for the 52-year-old dairyman at the request of the state pardon and parole board to allow time to hear Wallace's plea that his death sentence be changed to life imprisonment.

Wallace told a jury he shot Turner accidentally while trying to force a confession of alleged cattle theft.

sion, A. L. Henson, Wallace attorney, promptly announced he would file an extra-ordinary motion for a new trial.

Henson said he would wait until Wallace is re-sentenced and then file his motion with the court, showing new causes, not previously ascertained, why a new trial should be granted.

The attorney said he even had some Federal questions he might bring before the court, and declared of the Wallace case that "there is a lot more law in it before they send John Wallace to the chair."

Before Wallace's plea for commutation went before the Pardon and Parole Board his conviction was appealed to the State Supreme Court, which upheld the death penalty.

The well-to-do farmer was scheduled to die in February, but when his commutation plea was filed with the Pardon and Parole Board, Gov. Talmadge granted him a 30-day stay of execution on Feb. 3 at the Board's request.

On Feb. 24, the Board held a hearing on the case, with 75 friends of Wallace appearing in behalf of his appeal for commutation to life imprisonment.

The 30-day stay of execution expired last month, but the Board had 90 days in which to reach a decision.

Chairman Ed Everett and Board Members Eugene Wilburn and Mrs. Rebecca Rainey, announced their verdict late yesterday with these findings, signed by all three members:

"1. The applicant is guilty of murder, as charged, and the slaying was premediated rather than being accidental as contended by the applicant.

"2. There exist no extenuating or mitigating circumstances.

"3. The applicant was ably represented by counsel and was not denied any of his Constitutional rights.

"4. For the above reasons, the undersigned members vote to deny the application to commute the death sentence to life imprisonment."

Wallace and three others were convicted last June of the slaying of Turner in April, 1948. Herring Sivell, Henry Mobley and Tom Strickland were given life terms.

The murder of William Turner and the subsequent trial of Wallace and the other accused men became one of the most celebrated criminal cases in recent Georgia history.

Wallace and his co-defendants allegedly chased William Turner from Meriwether County across the line into Coweta County, caught him and beat him to death in a dispute over cattle thefts. The burned remains of Turner's body were found in an isolated wooded area in Meriwether County by investigators headed by Sheriff Lamar Potts, of Coweta County.

Wallace, at his trial, told the jury he accidentally shot Turner in Meriwether County, while trying to force a confession of cattle theft from him.

The State claimed, however, that Turner's death was actually caused from a beating administered to him by Wallace at a Coweta County tourist camp, and that Wallace and his companions then took the body back to Meriwether County to hide and then burn it.

A. L. Henson, Wallace attorney before the Pardon and Parole Board at its hearing in February, charged Wallace's trial was held in a "hostile atmosphere" and that his Constitutional rights were violated.

Rules Out New Trial in Turner Case

The death sentence of John Wallace, wealthy Meriwether County farmer convicted of murdering William H. (alias Wilson) Turner in Coweta County, was upheld late yesterday by the Georgia Supreme Court.

The high court unanimously affirmed the verdict of the Coweta Superior Court.

Wallace's attorneys had asked a new trial on the grounds that the State had failed to show by competent evidence that the crime was committed in Coweta County. Wallace said he accidentally killed Turner in Meriwether County, where he had taken him in an effort to force a confession out of him for cow stealing. Wallace said he did not hit Turner hard enough to kill him earlier in Coweta County.

Unanimous Vote Denies Plea for Life

By ALBERT RILEY

The State Pardon and Parole Board yesterday refused to commute the death sentence of John Wallace to life imprisonment.

The Meriwether County landowner convicted last June of the April, 1948, murder of William Turner, tenant farmer, must now be resentenced to the electric chair by Judge Samuel Boykin, of Coweta Circuit, the trial judge.

Informed of the Pardon and Parole Board's unanimous deci-

Wallace Sentenced Again

By Combination State News Service

NEWNAN—Judge Samuel J. Boykin, Superior Court Judge of the Coweta Circuit, yesterday resentenced John Wallace, who was convicted of the slaying of [illegible] alias William Turner, to die in the electric chair May 6.

The wealthy Meriwether County landowner's attorneys filed an "extraordinary motion" for a new trial.

Judge Boykin set April 30 as the date to hear the motion for a new trial in Carrollton, Clerk of Court Wallace Gray said.

The State Pardon and Parole Board in Atlanta Monday declined to commute Wallace's sentence to life imprisonment.

Wallace was convicted last June of the murder in April, 1948, of the tenant farmer. Turner's body was allegedly thrown into a well on Wallace's property in Meriwether County, then removed and burned.

Wallace Gains In Battle For Life

John Wallace's lengthy legal battle to escape electrocution for the slaying of William Turner stretched a few days further yesterday when a hearing on his petition for a writ of habeas corpus was postponed in Fulton Superior Court.

Judge Virlyn Moore postponed the hearing until 9:30 a. m., Oct. 3 after Atty. A. L. Henson, representing the Meriwether County farmer, estimated it would take three days to complete it.

Judge Moore cited a crowded docket confronting his court for the next several days. The Wallace hearing Oct. 3 will be before Judge G[illegible] Whitman in the motions division.

Wallace's attorneys previously had expressed hope of the hearing paving the way for taking the case to the U. S. Supreme Court.

Wallace Granted Stay Of Execution Here

By TELESTINE SIBLEY

John Wallace, Meriwether County farmer, lost his fight for freedom yesterday, but gained another stay in his electrocution for the burned-body slaying of Williams (Willie) Turner.

Fulton County Superior Court Judge Virlyn B. Moore denied Wallace's petition for a writ of habeas corpus on the grounds of so-called "sensational new evidence," and remanded him to the custody of Fulton Sheriff A. B. "Bud" Foster.

But, by agreement of attorneys on both sides, Judge Moore said he would grant Wallace time to make an appeal to the State Supreme Court.

The Oct. 14 date set for Wallace's electrocution will probably be changed, Judge Moore said, after he has had time to consider a defense motion for a supersedeas.

Earlier, three of Wallace's alleged accomplices in the Coweta County slaying in the Spring of 1948, told the Court they were "scared they'd get the electric chair" themselves.

The three, Henry Mobley, Tom Strickland and Herring Sivell, are serving life sentences for their alleged participation in the beating, which the State charged cost the life of Turner at Sunset Tourist Court, a few miles south of Newnan.

Two prisoners were placed on the stand by Wallace's attorney to testify that they overheard the two Negroes who were the State's principal witnesses against Wallace say they had lied "about helping Mr. John burn Mr. Turner's body," and did so on threat of hanging at the hands of a 200-man mob led by Sheriff Lamar Potts, of Coweta County.

Levine Doster, prisoner in a Coweta County work camp, said he heard Robert Lee Gates and Albert Brook, the two Negroes who led officers to the place where they allegedly helped Wallace burn Turner's body, tell Wallace that they were "made to tell that by some men who had a rope and said they were going to hang them."

Brewer D. Putman, who is serving time for larceny, testified that Gates and his wife came to the jail and called to Wallace from outside the window and told him they wished they lived back on his place.

Putman said Wallace asked Gates why he "told those lies" and Gates replied about 200 men had him "down there in the woods and had ropes and made me tell." Gates quoted the Negro as saying he did not burn the body of Turner but "it was hid in the sawdust pile."

The two Negroes placed on the stand yesterday reiterated their statement that they moved Turner's body from a well at Wallace's direction and burned it in a pit and then scattered the ashes in the creek.

Sivell, one of the three to plead guilty instead of standing trial in the slaying, told the Court State's Attorney he "had to refuse to testify for John Wallace to get a life sentence."

Sivell said they told him repeatedly his own life was in danger, and he pleaded guilty rather than stand trial. All three of Wallace's codefendants admitted under cross-examination that their decision to plead guilty was based on advice of their attorneys.

A. L. Henson, of Atlanta, and Gus Huddleston, of Greenville, attorney, introduced into the record newspaper stories which they said "inflamed public opinion against Wallace" and made it impossible for their client to get a fair trial in Coweta County.

27e 1949

South Carolina

7903

Earle Lynch Suit to High Court Oct. 14

COLUMBIA, S.C. (ANP)—Mrs. Jessie Earle's $5,000 claim against Greenville county for the alleged lynching of her son Willie, 22, on Feb. 17 1947, will reach the State Supreme Court Oct. 14.

Earle was arrested in Pickens county in connection with a stabbing and a mob broke into the jail, carried him out, and killed him. His body was found in Greenville county.

27e

One Suit Dismissed

Mrs. Earle filed suits against Pickens and Greenville counties, but the complaint against Pickens county was dismissed last April by Judge Joseph J. Moss.

The NAACP lawyers, Thurgood Marshall and Franklin H. Williams, will represent the mother along with Harold Boulware, a local attorney.

7903

7904

Cops Serving Seven Years

Governor Tuck

Refuses to Act

RICHMOND

The Association for Justice in Virginia, headed by Samuel Kelley, won a signal victory here last week when a request of two policemen serving 7 years for criminally attacking a local matron was refused by the State Board of Pardon and Parole.

The association, which sponsored a mass meeting in South Richmond the night before the denial of the paroles was announced by the governor's office, plan another such meeting Friday night in the interest of Frasker Young, indicted on a criminal attack count.

Protest Meeting Held

The meeting last week was one in a series held to arouse public sentment against a parole for the two ex-policemen, first of their race known in recent years to have been sentenced to prison for criminal attack on other than a white woman in Richmond.

When news leaked out that the two had applied for parole, the organization began immediately a campaign to keep them in prison until they have served their "full sentences."

According to Parole Board officials, cases of the two men were heard several weeks ago, but that they had just been informed that the board had denied their appeal. They added that they received a numbr of communications both for and against parole while considering the cases.

Kelley Writes Governor

Among those against parole was a letter written to Gov. William M. Tuck by Mr. Kelley in which he urged the chief executive not to grant the men a parole, giving various reasons for his stand. The governor promised to make the letter a part of the records on the two men.

Speakers at the association's meeting Friday night will be Howard H. Carwile, who will discuss the legal phases of the Frasker Young case, and Mr. Kelly, general chairman, who will "wash away the sandy foundation" of Governor Tuck's "State's Rights Message to the 1948 General Assembly."

Governor Acts Quickly Upon Request

Men Accused Of Attacking Woman; NAACP Handles Case

RICHMOND, Va.—(NNPA)— A 30-day stay of execution was granted last Tuesday by Governor William M. Tuck to seven colored youths sentenced to die in the electric chair for the alleged rape of a white woman.

The governor acted at the request of attorneys for the condemned men in order to allow the lawyers to file an appeal and request for a new trial with the Virginia Supreme Court of Appeals.

The scheduled electrocution date was put back for four of the men who were scheduled to die July 15 and a similar postponement was given for the three other men who were to go to the chair July 22.

Governor Tuck acted after he had conferred with three attorneys for the condemned men. They requested stays of 90 days and explained that they intended to go to the appellate court as soon as they could review the trial records they obtained only a week previously.

CUSTOMARY GRANT

The governor did not refuse the 90-day request but said it was not customary to grant stays of such length and he could not grant the request with out consultation with the Attorney General of Virginia. Meanwhile, he decided to allow the conventional 30 days.

"I do not intend to do anything that would embarrass in any way a bona fide effort to use every recourse of the law in these cases," Governor Tuck told the attorneys. He urged them to hasten preparations as much as possible and they assured him they would.

The attorneys were Martin A. Martin, Oliver W. Hill and Spottswood W. Robinson III. The appeals are being prosecuted by the National Association for the Advancement of Colored People, they said, and by [illegible] individuals who want to see the men given every opportunity before the law.

Only ten minutes' time was required for the conference in Governor Tuck's office. There were no fervent appeals. The request for a stay was made quietly and granted quietly.

The seven men were tried and sentenced May 3 in Henry County Circuit Court—all within an eight-day period.

WOMAN IN AREA

They were arrested on the night of January 8-9 after a Martinsville white woman stumbled out of the colored section and reported she had been seized and raped—she didn't know how many times. She was hospitalized for serious injuries.

She had gone into the area to collect for some clothing she had sold.

The Richmond Civil Rights Congress and the Communist party of Virginia last Monday left to the NAACP the appeal of the case.

The Civil Rights Congress, listed as a subversive organization by the United States Attorney General Tom C. Clrak, announced that it will withdraw from the defense of Francis Grayson, one of the seven.

27e(1) 1949

South Carolina

7905

Damages Sought For Lynch Victim's Kin

COLUMBIA, S. C.—The Supreme Court of South Carolina has been asked to uphold a lower court decision holding Greenville County in that state liable for damages in the lynching of Willie Earle in 1947.

The lower court decision, appealed by the county on October 4, was supported by a brief filed by NAACP lawyers Harold R. Boulware of this city and Franklin H. Williams and Constance Baker Motley of the National Office legal staff on behalf of Mrs. Tessie Earle, mother of the lynch victim.

The NAACP, seeking to recover damages for Mrs. Earle under South Carolina law, filed suit early in the year against Pickens and Greenville counties. The court held that only Greenville county was liable as that was the county in which the death by lynching took place. The suit against Pickens County was dismissed on the ground that the victim was merely taken from the jail in that county.

Lynch Victim's Mother Permitted to Sue County

N.C. Supreme Court Gives Mrs. Tessie Earle Go Ahead Sign in $5,000 Suit for Damages

By STAFF CORRESPONDENT

COLUMBIA, S.C.—Mrs. Tessie Earle, mother of Willie Earle who was lynched in Greenville County in 1947, got the green light last Saturday from the State Supreme Court to "go ahead" with her suit for damages.

The court held that Earle was lynched in Greenville County by a mob that took him forcibly from the Pickens jail.

Greenville County attorney J. D. Todd Jr., had argued before the court last Oct. 14 that Pickens County was responsible for the death.

Mrs. Earle had placed suits against both counties amounting to $5,000 each which is the maximum sum permitted under the law.

Definition of Lynching

Todd defined lynching before the court at that time as a "composite offense" comprisng seizure and summary." If Pickens had guarded the prisoner," he said, "there would have been no death in Greenville County."

The court decided that "it is quibbling to say that the complaint fails to allege a lynching in Greenville County."

The Circuit Court sustained Pickens County's demurrer to hear complaint but the Greenville demurrer was overruled prompting the appeal.

"To yield to the (Greenville) argument" that "all of the statec elements" of legally defined lynching were not present would result in a narrow view of the import of law," the Supreme Court said.

Mob Was in Greenville

It added: "According to the allegations, the mob was there in (Greenville County) in forcible and illegal possession of the victim and there unlawfully inflicted death wounds upon him."

At one time during the course of events, the Greenville County group said that they were going to sue Mrs. Earle to counteract her suit.

Earle was jailed in connection with the robbing and stabbing of T. W. Brown, a white Greenville cab-driver. A group of Greenville taxicab drivers, most of whom admitted guilt in Earle's death, was acquitted.

County Fights Lynch Suit

Victim's Mother Sues for $5,000

COLUMBIA, S.C.—Fighting to keep from paying a financial penalty for a lynching, Greenville County Attorney J. D. Todd Jr., told the State Supreme Court here last week that Greenville was not responsible for the lynching because the victim was taken from a jail in Pickens County.

He was arguing against Mrs. Tessie Earle's suit for $5,000 damages in the lynching of her son, Willie Earle, who was killed by a mob in Feb., 1947. His beaten, shot body was found in Greenville County.

Todd asserted that if Pickens officials had guarded the prisoner properly, there would not have been a death in Greenville. A Circuit Court already has dismissed Pickens County from the suit. That county also was sued for $5,000.

Several cab drivers were arrested in Greenville and tried for Earle's murder, but were freed in a sensational trial.

Todd described lynching as a "composite offense" including seizure and summary punishment. Therefore, he insisted that Pickens County was liable for damages.

Harold R. Boulware, Columbia attorney, who represented Mrs. Earle, filed his brief with the court without formal argument. He stated that he thought his client was entitled to receive damages from someone.

27e(1) 1949

Texas

7906

Rape Case Verdict in Three Minutes

(The Associated Press)

Houston, Dec. 13—A jury deliberated only three minutes Tuesday in returning a death verdict against George Honey Young, 30, Negro, charged with rape of an 11-year-old white girl.

Young had been charged with attacking the pupil after luring her from the St. Mary's Catholic church playground where she had been watching a neighborhood football game Nov. 19.

7869

Negro Saved From Chair For 14th Time

MONTGOMERY, Feb. 18 — Samuel Taylor, 22-year-old Mobile Negro, was saved from electrocution for the 14th time last night. Gov. James E. Folsom issued a reprieve just two hours before he was to die.

Taylor was convicted of raping a 14-year-old white girl at Prichard, a Mobile suburb, in 1946. The U. S. Supreme Court had turned him down twice on appeals.

* * *

FOLSOM SAID HE ISSUED the latest reprieve on advice of his legal council.

The Negro's attorneys contended force and violence had been used to obtain a "confession" used against him in Mobile Circuit Court.

However, the state offered eight photographs of Taylor in the nude, taken immediately after the "confession" was given as evidence he was not subjected to physical violence.

The Alabama Supreme Court affirmed the Mobile decree, declaring Taylor's assertion as to violence did not contain the probability of truth and were unreasonable.

The U. S. Supreme Court split four-to-four earlier this month and thus refused to overthrow the lower court's sentence in Taylor's case.

* * *

IN AN EARLIER HEARING last June, the U. S. Supreme Court upheld the ruling of Alabama's high court. But at that time Justice Murphy wrote a dissenting opinion.

He suggested Taylor could still get formal hearing before that court by a habeas corpus proceeding in Federal Court.

Taylor came within minutes of being electrocuted twice before, once last September and again in July. He was about to enter the death chamber Sept. 5 when Folsom gave him a two-week stay of execution.

Taylor was convicted in Mobile Circuit Court Nov. 19, 1946.

dicted on a charge of carnal knowledge of the young girl. But he was convicted of attempt to rape and sentenced to 20 years in prison.

This conviction was reversed by the Court of Appeals for two reasons:

1. Because carnal knowledge and attempt to rape are two entirely different charges.

2. The grand jur ythat indicted Smith was improperly drawn.

The State appealed the Court of Appeals decision to the Supreme Court, but lost.

HIGHWAY PATROLMEN hustle Jim Arrington, Negro, out of the courthouse at Luverne after he was convicted and sentenced to death for raping a white woman. Two dozen patrolmen armed with sub-machine guns, pistols and tear gas bombs stood by to prevent violence. Violence was threatened once before at the time of the Negro's arrest. He was taken to Kilby Prison for safekeeping. (See story Page 1). Photo by Albert Kraus

Reversal In Attempted Assault Case Sustained

A white man convicted of attempted rape of the six-year-old daughter of a carnival ferris wheel operator won his second decision yesterday in the State Supreme Court.

The tribunal refused to reconsider its earlier ruling that the Court of Appeals was right in reversing the conviction of Curtis Smith in Opelika.

The 20-year-old youth was in-

Man Sentenced To Die for Rape

Luverne, Ala., March 15 (AP)—A Negro was sentenced to death for raping a white woman here today. Jim Arrington, 28, the convicted man, was hurried out of the city by State highway patrolmen as soon as sentence was pronounced.

Other patrolmen armed with pistols, sub-machine guns, and tear-gas bombs guarded every entrance to the Courthouse.

Arrington was taken out a back door of the Courthouse. Highway patrolmen formed a cordon to a waiting patrol car and he was rushed through the crowd of several hundred white men and taken back to Kilby prison.

Several men broke into a run as the Negro was led from the courtroom, but they were caught in the crowd and nothing happened.

Every seat in the courtroom was filled and the aisles were jammed. Spectators outside the door stood on chairs and wooden boxes. Many others waited outside, unable to get in.

A few women sat through the trial. The rest of the spectators were men. Tension reflected in their faces as the trial progressed, but it gave way to cheers when the jury returned its verdict after deliberating for 30 minutes.

Highway patrolmen from as far away as Mobile, 150 miles to the southwest, were ordered to Luverne to maintain order. Violence was threatened once before, when the Negro was arrested, but Sheriff Green Horn averted trouble by speeding the Negro to Kilby Prison.

Victim Is Witness

Only four witnesses, including the 35-year-old woman who accused the Negro of raping her, took the stand today. The defense offered no testimony, and Attorney J. O. Sentell, Jr., relied entirely on an appeal for mercy.

County Solicitor Horton Little, demanding the death penalty, urged the jury to "let your verdict be a lesson to anyone else who might tend to commit a crime such as this regardless of race."

The Negro pleaded innocent at the outset of the trial, although he had entered a guilty plea at his arraignment last week. He changed the plea on the advice of his court-appointed attorney.

Luverne Negro Given Death In Rape Trial

Tense Audience Cheers Conviction As Patrol Guards Against Violence

(See Photo Page 3)

LUVERNE, ALA., March 15—(AP)—A tense courtroom crowd of some 500 white men shouted approval today when a huge Negro was sentenced to death for raping a white woman.

Two dozen state highway patrolmen armed with sub-machine guns, pistols and tear gas bombs stood by to prevent violence. None occurred. The patrol, taking no chances, sped him back to Kilby Prison at Montgomery where he had been taken soon after his arrest just 16 days ago.

The 28-year-old Negro, Jim Arrington, was convicted of rape in a trial which lasted only two hours. Arrington, who stands about six-foot-three and weighs over 200 pounds, offered no evidence in his own defense and said nothing when Circuit Judge A. E. Gamble pronounced sentence.

Court to Review Case

The electrocution date was fixed at April 22 but Judge Gamble immediately suspended it pending an appeal to the State Supreme Court. All death sentences must be reviewed by the Supreme Court in Alabama.

Supreme Court Affirms Death Sentence Of Youth

WASHINGTON, D. C.—(NNPA)—A sharply divided United States Supreme Court on Monday, Feb. 7, affirmed the decision of the lower (federal) courts refusing to review petitions for writs of habeas corpus the conviction by Alabama courts of Samuel Taylor, 22-year-old youth, on charge of raping a 14-year-old white girl.

The court split, 4 to 4. Justice Hugo L. Black took no part in the decision. His nephew, Nesbitt Elmore, an attorney from Montgomery, Ala., argued the case before the high tribunal.

On the day before the scheduled execution, he filed a petition in the Alabama Supreme Court for in order granting him the right to file a petition in the Mobile County Circuit Court for a writ of error coram nobis, a procedure peculiar to Alabama and one or two other states.

Taylor's petition was supported by affidavits made by the three men who had been arrested with

been questioned and beat- he "confessed" to the crime 3, 1946.

GUILTY

all-white jury in Mobile Circuit Court found him n Nov. 18, 1946, and he was to be electrocuted at Kil- on Jan. 9, 1947. The Ala- Supreme Court on April 24, firmed his conviction. He ted a reprieve from ex- until Sept. 17, 1947.

CASE

The National Association for the Advancement of Colored People was instrumental in getting the case before the Supreme Court for Taylor, who is in the Alabama cells.

The other youths were not so granted a new trial, but Taylor is allowed execution until

...im. They alleged that the confession had been obtained from him by physical violence.

Chief Justice Fred Vinson signed an eleventh hour stay of execution on the night of July 7, last, for Taylor. He was scheduled to die in the electric chair on the night of July 8. It was Taylor's twelfth reprieve.

ATTORNEYS CONTENTION

Attorneys for Taylor contended that he has had no hearing at which he could present evidence in support of his contention that his conviction and detention are in violation of the Federal Constitution.

Taylor's alleged confession was admitted into evidence at his trial in the Mobile County Circuit Court. Due to ignorance of his rights and fear of reprisals, Taylor alleged, he failed to tell his lawyer about the violence to which he claims he was subjected until after his conviction and its affirmation by the Alabama Supreme Court.

ALABAMA

"Show the Negro . . ."

In Wetumpka, Ala. (pop. 3,300) last week a jury of white men weighed the facts in the trial of a white man charged with raping a Negro woman. The prosecutor, Winston Hutcheson, urged the jurors to decide the case "just like you would if a Negro was charged with raping a white woman . . . [and] show the Negro that he can get justice in court." The jurors did. They found 30-year-old John C. Howard guilty and fixed his penalty (an Alabama jury's prerogative) at 45 years in prison. Next day Howard's cousin, 21-year-old Jack Oliver, also charged with rape of a Negro woman, pleaded guilty, got the same stiff sentence. (Almost all Negroes convicted of raping Alabama white women have been sentenced to death.)

Sentenced In Assault On Girl

LIVE OAK, Fla.—A 48-year-old white rancher was sentenced to 20 years in the state prison here yesterday for assault with intent to rape on an eight-year-old Negro girl.

S. M. Mapel, liquid gas dealer, is married and the father of several grown children. He was convicted last October but his first trial ended in a mistrial.

Murderer Who Refused Life Term To Die In Chair Feb. 17

A Negro killer who could have escaped with a life sentence but refused it and got death instead lost his appeal Thursday to the State Supreme Court.

Upholding the trial jury's verdict, the Supreme Court ordered Dorsey Palmore electrocuted at Kilby Prison on Feb. 17, 1950, for slashing his wife to death with a pocket knife.

The court also affirmed the death sentence of Jim Arrington, Crenshaw County Negro, convicted of raping a white woman, and fixed the date of his execution at Feb. 10.

Feeling ran high at Luverne when Arrington was tried last March and a force of 24 state highway patrolmen, plus several sheriff's deputies, guarded the courthouse (searching everyone who entered. The crowd of white men and women who packed the courtroom cheered loudly when the jury's verdict was announced.

Palmore, charged with killing his wife, Calister, at Florala in April, 1948, was offered a chance to plead guilty and take a life sentence. He chose instead to gamble on a trial, his lawyer said, pleading self-defense. He claimed his wife had threatened him with a gun.

Court records showed the couple lived at Panama City, Fla., but the woman left and returned to her mother's home at Florala. Later she asked Palmore to join her at Florala and talk over their differences. They quarreled and she was killed.

In another decision, the Supreme Court upheld constitutionality of a 1949 legislative act requiring bail bondsmen to have surety bonds of $10,000 before they can do business.

L. W. Pierce, a bondsman in Mobile, contested the act, which amended an old statute. He contended the amended portion of the law wasn't germane to the original act and therefore unconstitutional. The Mobile Circuit Court ruled with him, but the Supreme Court reversed it.

The state's highest tribunal agreed with the Mobile court, however, on another point in a lower court ruling which threw out a $50,000 suit filed by W. C. MacMahon, Jr., against the City of Mobile. MacMahon claimed the money plus interest as a real estate broker's commission in the sale of municipal docks properties.

The circuit court upheld the city's demurrers, which said in effect that MacMahon had no grounds for suit.

In another ruling, the Supreme Court denied a request Joseph Mitchell of Mobile, who tried to get an injunction to keep from being ousted from the Jewish Progressive Club.

Directors of the club demurred to the suit, contending Mitchell had no basis for action, but the circuit court denied the demurrers. The Supreme Court said they should have been granted.

Decatur Sex Slayer Given 50 Year Term

DECATUR, ALA., Dec. 16.—(AP)—James Lester Lang, 40, today was sentenced to 50 years in prison for the sex-slaying of a mother of [redacted].

The circuit court jury deliberated slightly less than two hours before convicting him on a charge of second degree murder.

It was Lang's second conviction in the case. The first, under which he received a sentence of 99 years in July, 1948, was reversed by the State Supreme Court last October.

Circuit Judge Newton B. Powell formally sentenced Lang, then suspended the sentence pending an appeal.

He was accused of raping and strangling Mrs. Christine Haynie, 34-year-old farm woman, on lonely Lacon Mountain in April, 1948. The woman was attacked as she returned to her home from a trip to a grocery.

Lang did not testify. A relative told the court he was drunk that day.

Sex Attack on Negro

LIVE OAK, Fla. (AP)—Circuit Court Judge M. H. Rowe yesterday sentenced [redacted] to 20 years in state prison for assault with intent to rape an eight-year-old Negro girl.

Taylor Case To Be Argued In Supreme Court Second Time

WASHINGTON, D. C. — (ANPA) — The case of Samuel Taylor, an ignorant colored youth, who is under sentence of death for the alleged rape of a white woman, will be argued in the United States Supreme Court for a second time this week.

Taylor, whom the National Association for the Advancement of Colored People is seeking to save from the electric chair, is in the Alabama State Penitentiary at Kilby, Alabama.

He was convicted of rape on November 19, 1946, in the Circuit Court of Mobile County, Alabama. The Alabama Supreme Court affirmed his conviction on April 24, 1947.

While awaiting execution, he applied to the Alabama Supreme Court for leave to petition the trial court for a writ of error coram nobis, alleging that after his arrest by police officers at Prichard, Alabama, June 29, 1946, he was beaten, threatened and coerced for a period of three days until he confessed to the rape charge.

This confession was introduced at his trial in the Circuit Court of Mobile County. Due to ignorance of his rights and the fear of reprisals, Taylor alleged, he failed to tell his lawyers about the third-degree methods to which police had subjected him.

EMPLOYED COUNSEL.

After the Alabama Supreme Court affirmed his conviction, his family employed new counsel to represent him. This lawyer learned about the involuntary nature of the confession used against Taylor, and on that basis applied to the Alabama Supreme Court for a writ of error.

The Alabama Supreme Court on November 13, 1947, with one judge dissenting denied the petition. It also denied on December 4, 1947, an application for a rehearing.

The United States Supreme Court on April 5, last, decided to review the case, and on June 21 it affirmed the judgement of the Alabama Supreme Court, holding that Taylor had not been denied due process of law.

On July 6, last, Taylor filed a petition for a writ of habeas corpus in the United States District Court for the Middle District of Alabama. That court on the same day dismissed the petition without requiring a return, granting a hearing or taking testimony.

Both the Federal District Court and the Circuit Court of Appeals denied motions for a certificate of probable cause. The United States Supreme Court on December 13 agreed to review the case a second time.

In their brief, attorneys for Taylor contend that he has had no hearing at which he could present evidence in support of his contention that his conviction and detention are in violation of the Federal Constitution.

They say the Federal District Court has, "by an ironic twist of reasoning, found that the very procedures which the petitioner was required to follow before applying to the District Court for a writ of habeas corpus have deprived petition of his right to a hearing in the Federal courts."

ASKED FOR REAFFIRMATION

They ask the Supreme Court to "reaffirm the fundamental role of the writ of habeas corpus in the scheme of human liberty by establishing that a federal district court may not refuse to make an independent investigation into the merits of a petition with the excuse that a state court has found the claim of right so insubstantial as not to require a hearing."

The State contends that the Fourteenth Amendment to the Federal Constitution "requires no further inquiry" into Taylor's conviction and asks the Supreme Court to affirm the judgment of the District Court dismissing his petition for habeas corpus.

The brief for Taylor is signed by Nesbitt Elmore, an attorney of Montgomery, Alabama, and a nephew of Justice Hugo Black of the United States Supreme Court, and Thurgood Marshall, special counsel for the NAACP. On the brief with them are Frank D. Reeves, a Washington lawyer, and Franklin H. Williams, a member of the legal staff of the NAACP, New York City.

Attorney General A. A. Carmichael and Assistant Attorney General Bernard F. Sykes of Alabama are on the brief for the State.

Long Game Of Tag With Death Ends For Young Negro

MONTGOMERY, Ala., May 19.—(AP)—A young negro who spent two years playing tag with death walked grinning from a condemned row cell Thursday—free at last from the threat of the electric chair.

His sentence was commuted to life imprisonment. And all Samuel Taylor could say was "Thank goodness. I'm sure proud."

It was the end of a long nightmare for the 22-year-old Taylor, convicted in Mobile in 1946 of raping a 14-year-old white girl and sentenced to death.

He got ready to pay with his life Thursday just like he had the 15 times before when Gov. James E. Folsom stepped in with a reprieve.

But when Warden George Garner walked to his cell at Kilby Prison this morning, it was different. The Governor finally had commuted Taylor's sentence.

The days of agonized waiting were over. Samuel Taylor was free from the ghastly shadow of the bright yellow chair.

He didn't leave the death row, however, until he had shaken hands with the other five men waiting their turn to die—all negroes like himself.

In time Taylor will be put to dork in the prison cotton mill, said Garner, but for the next few days he will do only light work in the yard.

"He's been in that cell almost three years," the Warden explained. "He's got to get his strength back and get some fresh air and sunshine."

Taylor entered the death cell early in 1947 and was first scheduled to face the chair in June of that year.

Folsom's announcement that the sentence had been commuted to life gave no reason for his action. But the negro and his attorneys have insisted from the start that he is innocent.

Negro Who Prepared To Die 16 Times To Serve Life Term

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Taylor entered the death cell early in 1947 and was first scheduled to face the chair in June of that year.

Folsom granted him a stay of execution and followed that up with 14 others while defense attorneys fought the Negro's case twice to the U. S. Supreme Court. Twice the court refused to intervene.

The final decision came in February of this year and the governor signed one last reprive to allow time to ask for a rehearing. That denied, Taylor's time ran out tonight.

Folsom's announcement that the sentence had been commuted to life [illegible] reason for his action. But the Negro and his attorneys have insisted from the start that he is innocent.

A confession used against him at his trial, they said, was forced out of him by police at Prichard, Ala., where the white girl said she was raped on a school yard.

Attorney Nesbitt Elmore protested, too, that Taylor was a victim of "racial prejudice."

Taylor didn't come as close to the chair yesterday as he has previously. Several times the governor waited until just a few hours before the time to go before issuing a reprieve. Once the Negro's head had been shaved and he was only five minutes away from death when Folsom went to the prison himself and stopped the execution.

Folsom Faces 16th Decision Today On Young Negro's Life

Gov. James E. Folsom must make a life-or-death decision for the 16th time today for a young Negro.

Unless the governor spares his life again or the courts intervene, Samuel Taylor of Mobile is scheduled to die early Friday morning in Kilby Prison's electric chair.

He was sentenced to death on a charge of raping a seven-year-old white girl.

Seven times in two years the governor has reprieved him so his case could get to the U. S. Supreme Court. [illegible]

It has gone there twice and both times the court turned Taylor down. The last occasion was on Feb. 7 this year, just before the Negro got his 15th stay of execution. The reprieve was granted on Feb. 17 so defense attorneys could ask the Supreme Court for a rehearing.

The court denied that and Taylor's time runs out shortly after midnight today.

Since he was first sentenced to die on Friday, June 13, 1947, the Negro has come within hours of death several times. Once his head was already shaved and he had only five minutes to go when the governor showed up at the prison and reprieved him.

There won't be a clemency hearing for Taylor today. That came nearly two years ago, just before he was scheduled to die the first time.

Capital Spotlight

Rape Case Before U.S. Supreme Court

Journal and Guide 2/7/49

Norfolk, Va. Sat 2-12-49

WASHINGTON, D. C. — Governor Bill Hastie of the Virgin Islands and Bob Ming of the faculty of the University of Chicago law school were among the listeners to the argument before the United States Supreme Court the other day in the case of [redacted]lor, who is attacking his conviction of rape in the Mobile (Alabama) County Circuit Court on the grounds that third-degree confession was used against him.

Ditto Thurgood Marshall, special counsel for the NAACP which was interested in the case. Thurgood did not participate in the argument but allowed Nesbitt Elmore, of Montgomery (Alabama), nephew of Associate Justice Hugo Black, argue the case because he had handled it ever since a new trial has been sought for Taylor because of the alleged coerced confession.

7871

Scottsboro Judge's Grandson to Face Trial for Murder

Baltimore, Md. American

MONTGOMERY, Ala. (ANP)

William E. Callahan, 17, grandson of one of the most prominent jurists in the numerous Scottsboro trials, will face charges of murder here next month. Sat. 1-8-49

Young Callahan is a grandson of the late Judge W. W. Callahan, famous for his "hurry-up" actions in several of the Scottsboro cases.

The boy is accused of slaying his father, Travis Callahan, 47, last February. Decision to make charges against him was made after sanity tests had proved that he was in his right mind.

7872

Posse Safeguards Rape Suspect

27e(2)

HOPE, ARK., July 21 — (AP) — Prosecutor James H. Pilkinton said today that good judgment exercised by citizen-ppssemen and officers prevented possible violence after apprehension of a Negro accused of raping a white woman.

The Negro, Herman Maxwell, 20, of Hope, Ark., was nabbed yesterday afternoon about six hours after a 23-year-old expectant mother reported a slightly-built Negro, wielding a knife, raped here in her farm home 12 miles north of here.

Three citizens, acting as special deputies, found Maxwell in a wooded area about three miles north of here.

Pilkinton said they used good judgment in handling their prisoner and turning him over to authorities, and that authorities, in turn, used good judgment in turning Maxwell over to state police for safekeeping.

Pilkinton said Maxwell freely and calmly admitted the attack.

DIES IN ARKANSAS CHAIR FOR RAPE OF WHITE WOMAN

The Courier, Pittsburgh, Pa.

LITTLE ROCK, Ark.—The State's first execution of the year took place Friday morning when 23-year-old Mizell Palmer died in the electric chair at that time for the alleged rape of a white woman.

Sat. 6-28-47 27e(2) Ark

Palmer, who lived in Little Rock, was convicted of criminally assaulting the woman near here Oct. 19, 1947. Charles Hamm, also convicted in the case, was sentenced to life imprisonment.

The two colored youths were accused of attacking the woman while holding her male companion at gunpoint.

Three white men and one other Negro also await execution at the Tucker Prison Farm in the State Penitentiary death house. They are scheduled to die for murder and rape.

White Rapist Gets 10 Years

HELENA, Ark.—Robert L. Gerlach, white, who ravished a 12-year-old girl was found guilty by an all-white jury on a charge of assault with intent to rape last Tuesday and was sentenced to 10 years in the state penitentiary.

The attack occurred near the child's home west of Marvell, Ark., on Oct. 26, 1948. Testimony given at the trial showed that Gerlach stopped her on the way home, forced her into his automobile and drove a short distance down the road and turned off into a grove where he raped her.

Gerlach, who took the stand in his own defense, said he remembered nothing about the attack because he was suffering from amnesia at the time.

Man Gets Death In Sex-Slaying Of 17-Month Baby

Fresno, Cal., Dec. 28 (AP)—Paul Gutierrez stood unmoving and with downcast eyes yesterday as Superior Judge Arthur C. Shepard sentenced him to die in the gas chamber for the sex-slaying of a 17-month-old baby.

The defendant's aged mother, Mrs. Guadalupe Gutierrez, fainted when the judge announced the sentence. Other members of his family cried out.

Judge Shepard found the 25-year-old cotton picker guilty of first-degree murder Wednesday in the nonjury trial Gutierrez had requested. He also found him sane at the time of the crime.

Gutierrez was charged with the slaying of Josephine Yanez November 20. The body, torn and bruised, was found with head pushed down into a muddy field at Huron.

27e(2) 1949 D.C. 7874

Jury Frees Arlington Youth Of Charge He Raped Waitress

H. Tapp, 19, of 1302 Lee Arlington, was found Inno- yesterday of raping a 26-year- Washington waitress.

The jury, under Virginia law, male [illegible] after [illegible] hour and 40 minutes before bringing in the acquittal verdict to Judge Walter T. McCarthy.

The girl had charged Tapp lured her to his home under pretext of meeting his parents 3 July and there raped her.

Tapp testified the girl, whom he had met at her place of employment, a Washington drug store, submitted willingly to his advances.

He told the jury that after a necking session on a sofa in his living room, he left the room to remove his shirt—it was growing warm—and when he returned the girl was still there, having made no effort to leave. Moderately violent lovemaking followed, he testified.

Tapp's Attorney [illegible] Paul Jones, Arlington, read into the record testimony taken at an earlier hearing in which the Rev. Charles William Miller, 83-year-old Baptist minister who lives in the same apartment building as Tapp, declared he heard no outcry during the time the girl asserted she was being raped.

Jones also pointed out that medical examination showed no marks of violence on the girl's body.

The case was prosecuted by Commonwealth's Attorney D. T. Bucker.

Child, 8, Attacked; Mistrial Declared

Promise New Trial For Alleged Rapist

By JOHN A. DIAZ
(Courier Florida Editor)

LIVE OAK, Fla.—This small town of not more than 5,000 inhabitants is seething with strained race relations as a result of the failure here last Thursday of an all-white jury to reach a verdict against a prosperous white lumberman who was charged with raping an eight-year-old Negro child.

The trial of the defendant, S. M. Maple, who had been held in jail since his arrest for allegedly raping the child in the woods here, Oct. 5, was declared a mistrial after jurors had deliberated for six hours and failed to agree on a verdict.

RAPE CONFIRMED

The state's medical testimony furnished by two white physicians was that the child unquestionably was raped. Negro witnesses also testified against the defendant. The child testified that she was ravaged sexually by the accused. But some of the jurors did not want a conviction and therefore a mistrial was declared by the presiding judge.

However, state's prosecutor A. K. Black informed The Courier in an exclusive interview that he would ask for another trial in a few weeks.

The white man accused is a well-known gas appliance dealer and allegedly attacked the child while she was on her way to a store for her mother.

USED PRETEXT

The defendant reportedly drove up in his car to the child, and under pretext of looking for one, Alonzo Platt, another white man, asked her to show him the way, and that he, Maple, would give her a dime.

After driving off with the child, instead of looking for Platt, Maple drove to the nearby woods and allegedly raped the child.

When arrested by Sheriff Jim P. Howell and Road Patrolman V. C. Allen, it is reported that Maple's underclothes were bloody.

Dr. C. Leroy Adams, a local physicians, stated that the child was torn loose in three places where the alleged attack was made.

Local white residents and the authorities here are so incensed over the brutal crime that they have pledged theselves to see that justice is not blindfolded in this case of an alleged savage criminal attack by a man old enough to be the child's grandfather.

2 Negroes to Die for Florida Assault

TAVARES, Fla. — (AP) — Two Negroes were sentenced to die in the electric chair for the rape of a young farm wife that brought mob terrorism to this section of Central Florida two months ago.

Judge T. G. Futch denied a defense motion for a new trial for Walter Irvin and Charles Shepherd, both 22. He also sentenced Charles Greenlee, 16, to life imprisonment.

Scare 9 Lawyers Groveland Youths

Order Frisk Of Trial Spectators For Guns

BULLETIN

TAVARES, Fla. — A brother of one of the three youths held in the Groveland rape case was arrested by orders of Judge T. G. Futch this week. He is James Shepherd, brother of Samuel Shepherd. The arrest was made upon request of the State's attorney. The NAACP charges the action was taken to prevent its attorney, Franklin H. Williams, from interviewing James. Williams stated there is no legal authority for the arrest.

By RAMONA LOWE
(Defender Southeast Bureau)

TAVARES, Fla.—Fear was seen this week as the reason why nine of 11 lawyers have refused to handle the Groveland case in which the alleged rape of a white woman by four youths set off a reign of terror here several weeks ago.

The refusal of the attorneys to accept the case was revealed by NAACP counsel Franklin H. Williams.

Meanwhile inflammatory editorials in the Orlando Morning Sentinel and biased news stories have caused the NAACP to request a change of scene for the trial.

The trial, scheduled for August 29, has been moved to September 29, by Circuit Court Judge T. G. Futch.

Deny Motion

A motion to withdraw the not guilty pleas of the boys: Samuel Shepherd, Walter Irvin and Charles Greenlee, and to set aside the ar-

it the trial have spurred Judge Futch to take precautionary steps. He has posted rules governing conduct at the hearings.

Rules Posted

They are: All spectators must submit to search for concealed weapons. Those entering the courtroom, and photos are to be taken in the courtroom; there will be no standing in the courtroom when seating capacity is reached and all spectators not in seats will be "thrown out."

The reign of terror started in Groveland several weeks ago when it was reported the four youths had raped Mrs. Willie Padgett while [illegible] her husband. The fourth young man, Ernest Thomas, was tracked down by a posse in west Florida and slain.

The NAACP holds that a fair trial of the trio of youngsters is impossible under the present circumstances in the Lake County and adjacent areas.

Sentenced In Assault On Girl

LIVE OAK, Fla.—A 48-year-old white man was sentenced to 20 years in the state prison here yesterday for assault with intent to rape on an eight-year-old Negro girl.

S. M. Maple, liquid gas dealer, is married and the father of several grown children. He was indicted last October but his first trial ended in a mistrial.

Groveland Trio Further Abused, Attorney Finds

NEW YORK—Brutal mistreatment of the three youths whose conviction for the rape of a Groveland housewife is being appealed by the National Association for the Advancement of Colored People was reported this week by Franklin H. Williams, NAACP assistant special counsel, on his return from a visit to the prisoners in the state penitentiary in Raiford, Fla.

Mr. Williams, who together with Alex Akerman, Jr. of Orlando and Horace Hill of Daytona Beach, served as defense counsel for the Groveland trio, discovered that Samuel Shepherd and Walter Irvin were beaten and abused by Lake County Sheriff Willis McCall

following their conviction on trumped-charges by an all-white jury, on the night of September 3. Shepherd and Irvin, both 22, were sentenced to death and are being confined in the lightless death cell of the penitentiary, pending action on the NAACP appeal filed on their behalf. Charles Greenlee, 16, sentenced to life imprisonment is serving on a Florida chain gang.

Mr. Williams indicated this week that action on the appeal filed with the Florida Supreme Court, is expected to take place within the next sixty days. Reaffirming the intention of the NAACP to take every legal step possible to secure freedom for the prisoners, the NAACP attorney stressed the urgent need for funds to help the Association carry on the defense of these "unfortunate victims of a gross miscarriage of justice."

Contributions to the Groveland fund received thus far total $8,294.63 the NAACP announced this week. Of this amount approximately $4000 has been contributed by NAACP branches, $1,800 by individuals and the remainder by outside organizations and churches. Attorneys estimate that the total cost of the Groveland defense will reach $20,000.

Fla. Trio Tells of Jail Abuse

Counsel Visits Them, Appeal Ma[illegible]

NEW YORK—Brutal mistreatment of the three youths whose conviction for the alleged criminal assault of a Groveland housewife is being appealed by the NAACP was reported last week by Franklin H. Williams, NAACP assistant special counsel on his return from a visit to the prisoners in the State Penitentiary in Raiford, Fla.

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Shepherd and Irvin, both 22, were sentenced to death and are being confined in the lightless death cell of the State Penitentiary, pending action on the NAACP appeal. Charles Greenlee, 16, sentenced to life

Groveland Defense Attorney Finds Trio Much Abused

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Contributions to the Groveland fund received thus far total $9,364.62, the NAACP announced this week. Of this amount, approximately $4,000 has been contributed by NAACP branches, $1800 by individuals, and the remainder by outside organizations and churches. Attorneys estimate that the total cost of the Groveland case will reach $20,000.

Force Defendants' Kin To Testify At Hearing

By RAMONA LOWE
(Defender Florida Bureau)

TAVARES, Fla. — A motion for a new trial for three young men convicted last Saturday of a rape that later fanned into race demonstrations in this central Florida area, will be filed this week by defense counsel.

The three were charged with raping a 17-year-old white farm wife last July. The all-white jury found the three guilty, but recommended mercy for Charles Greenlee, 16, one of the defendants.

Because the jury did not recommend mercy for Samuel Shepard and Walter Irvin, both 22, death sentence is mandatory under Florida laws. Greenlee will be sentenced to life imprisonment by Judge Truman G. Futch.

Immediately following the announced verdict of the jury, defense counsel petitioned the court to delay sentence three days until a motion could be filed for a new trial.

Ernest Thomas, the fourth suspect in the alleged criminal assault, was killed by a posse a few weeks ago. His body was taken to Madison, where it was identified by his wife, Ruby Lee.

Racial demonstrations followed charges made by the white wife that she had been assaulted by the four men. White mobs burned homes of Negroes in Groveland and other nearby cities in this farming area.

The Florida National Guard was called to restore order, but not until the homes had been burned and many of the Negroes living in the area had fled in terror.

Following their arrest, Shepard and Irvin told officers that they had been in a Groveland movie at the time of the alleged assault. They later went to a Negro community near Orlando, and then went home.

Both said they did not know Greenlee until they saw him in jail. Both denied being with Thomas.

Greenlee, who denied that he knew Shepard and Irvin, said he hitch-hiked to Groveland with Thomas the night of the alleged crime, and then went to a shed near a filling station.

The youngster said Thomas asked him to keep a gun, left the weapon with him, and went on his way. Greenlee said he went to sleep but awoke some time later and went to a filling station for a drink of water.

The terror-stricken mother of Thomas, Mrs. Ethel Thomas, was forced to testify against her son and the three defendants. Mrs. Thomas and her husband, Luther, had been held in jail above the court room following their arrest after their son was lynched.

The trial got underway Thursday half had been spent empanelling a 12-man all-white jury.

Yet, from the testimony given thus far, the truth of what really happened on the night of July 15, on a highway outside of Groveland, will probably never be known.

Stories Conflict

Through sentiment whipped-up by Florida daily newspapers, the trial has become a side-show for thrill-seeking, sadistic country-bred whites.

The first witnesses for the prosecution were Willie Padgett and his wife, Norma Lee, the alleged victims.

In spite of the fact they were together during most of the time of the alleged "attacks," their testimony conflicted in numerous telling detail.

The rehearsed note in the testimony was as clear as the tinkling of a cow bell on a quiet evening.

Red-faced, leathery-necked hillbillies leaned forward eagerly as Norma Lee took the stand. She did not disappoint the lewd-hungry audience.

Bit by bit, in gruesome detail, Norma Lee told how the four men allegedly raped her. But the ridiculous crept into her story.

7876

Dies For Sex Crime

RAIFORD, Fla., Jan. 21 (AP)—Felix Combs, 27-year-old carnival roustabout, died in the electric chair here today for raping a Clearwater bride-to-be.

Combs confessed beating and raping a white woman after breaking into a guest cottage near a main residence but Ahl 5 and trying to rape the wife of a city policeman who had been placed on duty because of the previous attack.

THE SOUTH

One Law

One day, two months ago, a terrified young Negro woman, Mrs. Odessa Booker, found refuge in a farmhouse near Tampa, Fla., and told a story which was old as the South. A 24-year-old white man named Irving F. Brown had called on her, asked her to come to his house as a baby sitter. Instead, he drove her to a lonely lane, beat and attempted to rape her.

Brown was arrested. Last week an all-white jury found him guilty of assault with intent to rape. Tampa's Judge Roy Amidon commented: "This is the most reprehensible case that ever came before me. It is much worse than if the races of the participants were reversed." He sentenced Brown to 20 years in the state penitentiary.

It was the third such decision by a Southern court in eight days. Fortnight ago, in Wetumpka, Ala., two white men got 45-year prison sentences (TIME, Dec. 13) for raping Negro women.

Grand Jury Called in Florida

TAVARES, Fla., July 20 (UP)—A hastily-summoned grand jury was called to meet today to consider the alleged criminal attack of a white woman by Negroes that touched off three nights of violence at near-by Groveland. Gangs of white men terrorized Negroes and burned several of their homes.

It was not learned whether three Negroes, held in a secret jail since the young woman reported she was attacked, would be brought to this small county seat town in the Florida citrus belt for the grand jury hearing. A fourth Negro said to have been involved is still at large.

An uneasy truce, enforced by the guns of Florida National Guardsmen, prevailed at Groveland. With the determined show of force by uniformed men, marauders who had roamed the town shouting and shooting since last Friday kept their peace for the time, at least.

No incidents have been reported at Groveland since Monday night when the burning of three Negro houses brought the National Guard into town in force and for the third time in three days.

Rape Suspects On Trial, But No Negroes On Jury

Only 3 Negroes In Jury Box And None Called Up

TAVARES, Fla. — (INS) — A 12-man jury composed entirely of white men was chosen Friday to try three young Negroes charged with raping a [illegible] an incident which touched off an outbreak of mob terrorism in the Tavares-Groveland area in July.

As the trial entered its second day, full precautionary measures were continued to avoid any recurrence of the violence that followed the criminal assault on the young bride.

Twenty-five sheriff's deputies guarded the Lake County courthouse and Florida Highway Patrolmen were stationed at every road leading into the Little Central Florida town of Tavares.

The defendants in the trial are Charles Greenlee, 16; Walter Irvin, 22; and Samuel Shepherd, 22. They are being represented by Alex Akerman, Jr., who was the sole Republican member of the Florida Legislature in 1947.

Akerman objected yesterday to the small number of Negroes among the jury candidates. Only three Negroes were on the 150-name list. None of the three was chosen to serve on the jury.

The alleged rape victim and her husband were among the spectators at the first two trial sessions.

Another spectator was Sheriff Willis V. McCall, who refused to turn over two of the Negro suspects to a white mob shortly after the assault on the young bride was reported last July.

A 17-year-old bride identified 3 young Negroes as the men who attacked her last July.

From the witness stand she pointed her finger at Charles Greenlee, 16, Walter Irvin, 22, and Samuel Shepperd, 22, as the men who beat up her husband and assaulted her after her husband's automobile stalled the night of July 16.

She said four men were her assailants. One of the suspects was shot to death by authorities who cornered him in North Florida in late July.

Some 400 persons jammed the Lake county courthouse for the second day of the trial. A 12-man all-white jury was chosen to try the Negroes.

NAACP Speeds Aid To Fla. Suspects; Trial August 29

Physical Examinations Substantiate Charges Of Brutal Beating

RAIFORD, Fla., — Physical examinations made this week of the three Groveland boys being held here on an attack charge substantiated charges made by Assistant Special Counsel Franklin H. Williams of the National Association for the Advancement of Colored People that the prisoners were brutally beaten by police to make them "confess" to the crime of attacking Mrs. Willie Padgett. Jean Downing, W. D. S., and Nelson Spaulding, M. D., of Jacksonville, confirmed the NAACP attorney's report that lash marks and scars are still visible on the prisoner's bodies and that one of the boys has several broken teeth and another's foot was cut with glass.

The boys were arraigned Friday and trial set for Aug. 29 in Groveland.

In addition to supplying medical care for the youths after prison authorities refused to do so, the NAACP has provided the prisoners with shoes and the first clean clothing made available to them since their arrest almost four weeks ago.

ON — THE — SPOT PROBE

The three boys, Samuel Shepherd, 22, Walter Lee Irvin, 22, and Charles Greenlee 16, were jailed and accused of attacking Mrs. Padgett after she charged that four Negroes had raped her early on the morning of July 16. After the accusation set off a flare of mob violence in the Groveland area, resulting in the burning of three Negro homes, one of them that of Shepherd's father, Mr. Williams made an on-the-spot investigation of the Groveland situation. He gathered evidence indicating that the prisoners are innocent of the charges against them and that mounting anti-Negro sentiment in the area was behind the [illegible]

Acting NAACP Secretary Roy Wilkins revealed that contributions for legal defense of the trio began coming in after the Association announced its intention of fighting the case. A gift of $117.38 was received from the students of Bethune-Cookman College, $25 from the faculty and students of Florida Normal and Industrial College summer school, and $50 from the Southeastern Federation of Colored Women's Clubs.

Three Convicted Of Assault

TAVARES, Fla.—(AP)—The attack on a young farm wife, which touched off a series of mob actions, brought conviction of three Negroes Saturday night.

After deliberating two hours, an all-white Circuit Court Jury found the three guilty of assaulting the 17-year-old white woman last month.

Mercy was recommended for Charles Greenlee, 16, but the verdict for the other two, Samuel Shepherd and Walter Irvin, both 22—carried a mandatory death sentence.

A fourth suspect, Ernest Thomas, was killed several weeks

Two Accused Of Rape Sentenced To Death

TAVARES, Fla., Sept. 9—(AP)—Charging the defense with trying to inject the racial question into the trial, Circuit Judge T. G. Futch yesterday sentenced two Negroes to die in the electric chair for raping a young farm wife last July.

He condemned Samuel Shepherd and Walter Irvin, both 22, to death for the rape that stirred white night riders to terrorist activity against Negro communities in Lake County.

An all-white jury convicted the pair and Charles Greenlee, 16, last Saturday, but it recommended mercy for Greenlee. Judge Futch sentenced Greenlee to life imprisonment.

A FOURTH SUSPECT, Ernest Thomas, was killed by a posse 10 days after the rape.

Judge Futch said the Negroes were given a fair trial. The record will show the state attorney was "particularly careful to be fair and honest with the defendants," he said.

Defense attorneys, however, seemed "far more intent upon injecting the racial question into the record than in maintaining the presumption of innocence," the judge contended.

Defense Atty. Alex Akerman, Jr., of Orlando said he will appeal the conviction of Irvin and Shepherd to the Florida Supreme Court.

Negro Rapists Ask New Trial

TAVARES, Fla., Sept. 6.—(AP)—Two of three Negroes convicted of raping a 17-year-old white farmwife asked a new trial today because they were not allowed to testify that they "had been beaten by law enforcement officers of Lake County."

A 12-man white jury Saturday night found Samuel Shepherd, 22; Walter Irvin, 22, and Charles Greenlee, 16, guilty of the rape that stirred white mobs to terrorize Negro communities in Central Florida last July.

The jurors recommended mercy for Greenlee, and no new trial was asked for him. Upon the jury's finding, the death penalty is mandatory for Irvin and Shepherd.

Circuit Judge T. G. Futch said he probably will rule tomorrow on the new trial motion.

Lynch Trial

The Department of Justice has undertaken a careful investigation of the violence and the atmosphere of coercion which attended the recent trial and conviction of three Negroes for the rape of a white woman in Lake County, Florida. Whether or not the accused Negroes were guilty of the crime—and the evidence on which they were convicted seems dubious—there is abundant evidence to indicate that they were deprived of constitutional rights while in the custody of Florida law-enforcement officers. We hope, therefore, that the Department of Justice will press for an indictment by a Federal grand jury of the responsible authorities and any individuals who may have conspired with them.

One of the four accused Negroes was not tried for the simple reason that he was shot to death by a deputized posse. The remaining three, who insisted they had never seen the alleged victim (and two of whom insisted they had never seen the third), were convicted on September 8 by an all-white jury after a requested change of venue had been denied. Two were sentenced to death. As the result of a jury recommendation of mercy, the third, a 16-year-old boy, was sentenced to life imprisonment. There was no medical testimony or other conclusive evidence to prove that rape had actually been committed.

For three days immediately following the alleged rape, the entire Negro community in the vicinity was terrorized by roving mobs led, according to reports, by Florida and Georgia Klansmen. The homes of prosperous Negroes were burned and pillaged. An atmosphere existed at the time of the trial which made it seem suicidal for any member of the jury to resist conviction of the defendants. There is testimony that the three defendants were brutally beaten and tortured by "deputies." It is significant that the "confessions" drawn from them by torture were never introduced in the trial, although the defense attorney challenged the prosecutor to introduce them as evidence.

All of this, it seems to us, affords a basis for Federal intervention under Sections 241 and 242 of Title 18 of the United States Code, civil rights statutes dating back to the post-Civil War period. The first of these prohibits conspiracy to deprive any citizen of rights secured to him by the Constitution or laws of the United States; the second forbids any willful deprivation of such rights under color of any law. The beating of prisoners by law-enforcement officers having them in custody is an action taken under color of law and is thus a deprivation by the State in the name of which they exercise authority. The situation appears to call for vigorous action by the Department of Justice.

White Fla. Jury Convicts 3 Youths in Attack Case

Deliberated 2 Hours in Tense Atmosphere; Asked Mercy for One; New Trial Sought

TAVARES, Fla.—After deliberating for two hours and two minutes, an all-white jury convicted the three young men accused of criminally attacking a 17-year-old white woman near Groveland last July. The jury recommended mercy for the 16-year-old defendant.

Shortly after a report was made of the attack, a race hate demonstration resulted in the burning of several homes of colored families and colored citizens were forced to flee from their homes. Later the State guard of over 300 men was called out.

Deny Crime

The three defendants, Samuel Shepherd, 22, Walter Irwin, 22, and Charles Greenlee, 16, denied from the stand that they attacked the farm wife. They also denied knowing anything of the crime.

But the young woman, who followed her husband on the stand, dramatically pointed to the three defendants as her assailants. She declared that they had stopped to help her husband get a stalled car started and then had beaten her husband and forced her into their car.

Irwin and Shepherd testified that they went to Orlando for a short time, picked up an intoxicated friend and took him to his home. They declared that they then went home and to bed.

Both said they knew nothing of the attack when they were picked up by officers the next morning.

Greenlee swore that he had gone to Groveland on the day before the crime was committed and that he had remained in a lumber yard shed during the night. He swore that he had been seen by the night watchman.

Tell of Beating

The defendants swore they had been chained to a water pipe attached to the ceiling of the jail, handcuffed to it with their feet barely touching the floor and beaten until they "confessed" to the crime. Dr. N. W. V. Spaulding, Jacksonville, who had visited the prisoners at the State prison, declared that they bore marks which indicated they had been the victims of brutal beatings.

Shepherd declared that when he was handcuffed to the water pipe, his pants were dropped around his feet and that he was beaten with a billy and rubber hose. He said that three of his teeth were broken and that one of them went through his lip.

Defense attorneys had fought for a change of venue, continuance of the case and motioned for the withdrawal of the not guilty pleas. Judge Truman G. Futch denied all motions last Wednesday as he sat in the court room whittling a stick which left the floor littered with shavings.

Judge Issues Warning

When the jury returned, Judge Futch warned that there must be no demonstration when the verdict was announced. The spectators complied. Judge Futch immediately granted a defense motion to defer sentencing until a motion for a new trial can be filed.

Death sentence is mandatory for Irwin and Shepherd. Greenlee may be sentenced to life imprisonment or less. A fourth suspect in the case, Ernest Thomas, was shot and killed by a posse near Perry, Fla., on July 26.

The youths went on trial last Thursday with 20 special deputy sheriffs patrolling corridors and grounds and three State police cars on guard of highways leading into the city. No disorder was reported.

Spectators Searched

Attorneys for both State and the defense questioned 150 veniremen in the tense courtroom atmosphere. Judge Futch ordered the courtroom doors closed after the 480 seats available for spectators had been filled. All persons entering the court were searched at the door for weapons.

The defense legal battery was headed by Alex Akerman of Orlando, only Republican member of Florida's House of Representatives prior to 1948. Others are Joseph E. Price, Orlando; Franklin H. Williams of the NAACP's national office, New York City, and Horace Hill, Daytona Beach. Williams and Hill are colored.

Defense Funds For Doomed Negroes Hit

Orlando, Fla., Nov. 5 (AP).—A $20,000 fund being raised for the appeal of two Negroes from a rape conviction today drew fire from the man who prosecuted them.

State Attorney J. W. Hunter of Tavares said the county in which the men were convicted was required by law to pay appeal costs for defendants claiming insolvency, with exception of lawyers' fees.

"There is no reason whatever for the National Association for the Advancement of Colored People to raise any funds to perfect this appeal, except to pay their lawyers," Hunter said.

He made his comment in a letter to Publisher Martin Anderson of the Orlando Sentinel-Star after the $20,000 fund campaign had been brought to the newspaper's attention by Basil Brewer, publisher of the New Bedford, Mass., Standard-Times.

Brewer enclosed a copy of a letter from the "Committee of 100" soliciting a contribution from the New Bedford publisher. The NAACP termed the trial in Tavares, Fla., a tragic perversion of justice.

Walter Irvin, 22; and Samuel Shepherd, 22, were sentenced to death and Charles Greenlee was given a life term for the rape of a Bay Lake woman. A wave of racial disorders was touched off by the attack last July in adjoining Lake County and Governor Fuller Warren sent in 300 National Guardsmen to maintain order after several Negro houses were burned.

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Solution of 1915 Rape-Murder May Die With Atlanta Ex-Judge

Louisville, Ky. Courier Journal

Savannah, April 3 (AP).—Will the possible solution of the mystery of who murdered Mary Phagan in the notorious Leo Frank case of 1915 die with a retired Atlanta judge?

Arthur G. Powell, former judge of the Court of Appeals, says he holds the key to the mystery, but has decided not to reveal it.

Involving not only a murder, but a subsequent lynching, the case became known nationally. Journalism students study it as one of the outstanding news stories of this generation.

Found In Factory.

The criminally attacked body of Mary Phagan was discovered in an Atlanta pencil factory where she worked. Leo Frank, manager of the factory, was convicted of her murder. The verdict was upheld in a divided opinion of the Georgia Supreme Court.

Frank was sentenced to be hanged, but Governor John Slaton commuted the sentence to life imprisonment.

This unleashed additional public resentment and Frank was taken from Milledgeville Jail and lynched in a dairy pasture near Marietta, Mary Phagan's home town.

Many believed Frank innocent. Then, a few years ago, Judge Powell said in his book, "I Can Go Home Again," that he had definite proof of Frank's innocence.

He said he had learned the identity of the real murderer after the Supreme Court upheld the conviction.

Changed His Mind.

He said he had received the information, however, under such circumstances that to reveal it before the death of certain persons would be a violation of his oath as an attorney.

He decided to write what he knew and place it in a sealed envelope so the information might be made public after the death of others and possibly after his own.

Yesterday, however, he told Savannah Morning News reporters he had changed his mind. He decided against the envelope, and will let his secret die with him, he said.

He explained that he had come to the conclusion that no good could come from again unearthing something that happened so long ago.

Henry Pair Sentenced To Year Each in Criminal Assaults on Atlanta Nurse

Atlanta, Ga. Constitution

Fri. 8-26-49

By CELESTINE SIBLEY
Constitution Staff Writer

JONESBORO—Eugene Oglesby, 26, and Jack Floyd, 18, were sentenced to one year imprisonment each by Superior Court Judge Frank Guess yesterday after a Clayton County jury found them guilty of criminal assault on a 25-year-old Atlanta nurse.

The jury returned the verdict of guilty with recommendation for mercy after deliberating two hours and 10 minutes.

Judge Guess passed sentence immediately and the two defendants, standing side by side, received it without comment. Oglesby's wife, sitting outside the rail just beside him, bowed her head and began crying softly.

Attorneys for the two young Henry Countians held a brief conference and announced they would not file motion for a new trial. Oglesby and Floyd still face criminal assault charges in Henry County where two of the four attacks on the young woman allegedly took place the same night.

The nurse, who weepingly told the jury she had been dishonored and disgraced by the attacks of the two men she met on a casual double-date, thanked Sol. Gen. Roy Leathers "for all you have done" and left the courthouse with her attorney.

The defendants were the principal witnesses on the final day of the two-day trial, which attracted hundreds of citizens of two counties.

Taking the stand first as witnesses for each other and later to make unsworn statements, each in his own behalf, the two young men said the girl offered "no objection whatever" to their advances but was extremely "agreeable."

Floyd said he had been inducted into the Army and was "out to have a good time." Both young men testified that all of the acts complained of took place in Henry County, instead of Clayton County where the case is on trial.

Oglesby, who said he was separated from his wife at the time, testified he returned his date to Scottish Rite Hospital and stood at the door of the nurses' home with her a few minutes, expecting Floyd's date to come in. When Floyd's date did not get out of the car, he said, he returned and learned she was going to "ride around awhile" with them because she was not due back at the hospital until midnight.

Both boys, telling almost identical stories, said they stopped at Anchors Inn, on Highway 42, and went in. Oglesby said they were followed in a few minutes by the young women, who joined them in a booth and the three of them sat there and talked while Oglesby finished a bottle of beer. Testimony of all three agreed that the nurse never at any point drank anything except milk.

Later they drove down a country road, which Oglesby said was in Henry County, and the nurse and Floyd got out of the car and walked down the road a few yards, Oglesby testified.

"They came back and Jack asked me to take a walk," Oglesby testified. "I walked up the road and sat down and I saw them get in the back seat."

He said he stayed there until Jack came up and suggested that he go to the nurse. Oglesby said he found her standing by the rear bumper. He testified that she consented to his advances.

Both men testified that never at any point in the evening did they use force on the young woman. Oglesby said she left the car when he went to sleep. He expressed belief that she complained to the authorities to provide an excuse for her late return to the hospital.

The two youthful defendants were preceded on the stand by half a dozen additional young men who said they saw the nurse in the defendants' company earlier in the evening and she did not make any complaint or offer any resistance.

The young woman, returning to the stand as a rebuttal witness for the prosecution, insisted she was "screaming and scratching and kicking" all the time. She said she made no outcry at the Georgia Court, where Floyd left the car, because he was standing close to the car and "I was frightened . . . I was scared."

During the testimony of the young men, the nurse sat with her back to the stand. Occasionally she half rose out of her chair in protest to some bit of testimony but was waved back by her counsel, Norris Broome, who assisted Sol. Gen. Roy Leathers in prosecution of the case.

Serving as defense counsel were Attys. Young Frazer, of Atlanta; O. J. Coogler and Ed Kemp, of Jonesboro; E. Reagan and T. J. Brown, of McDonough.

Defense attorneys lost two motions for a mistrial on the grounds that members of the jury read a copy of The Constitution which carried a story of the trial and an editorial commending Sol. Gen. Leathers' effort to clear up Clayton County roadside joints.

Two Henry Countians On Trial for Lives as Nurse Charges Assault

Atlanta Constitution 8-25-49

By CELESTINE SIBLEY
Constitution Staff Writer

JONESBORO—Two young Henry County men went on trial for their lives here yesterday, charged with criminal assaults on a 25-year-old Atlanta nurse.

Eugene Oglesby and Jack Floyd, both in their ...

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was "in trouble." They summoned a white neighbor, J. B. Presley, who told the jury he took the young woman to his house and kept her till morning when he got another neighbor who owned a car to take her to Atlanta.

"She was mighty upset and acted like she could hardly walk," Presley told the jury. He said she sat on the sofa at his house and cried and told him she was "a-hurting."

The State rested its case shortly after 2 p. m., and the defense attorneys opened their case by placing Floyd's younger brother, Glen Floyd, on the stand. Floyd testified that he and a group of boys who were going to National Guard Camp were in front of the Georgia Court on Highway 42 at a point in the evening when the girl claimed she had been assaulted three times. They saw her ride up to the drive-in with Jack Floyd and Oglesby, and she seemed "perfectly contented," Floyd said.

To bear out this line of testimony the defense marshalled to the stand another brother of defendar' Floyd, Lawrence Floyd, and James Credille, Robert Ayres, Bobby Craig, Everett Norton and Marion Carter.

The nurse, speaking in a barely audible voice and with eyes downcast, told of repeated criminal attacks which, she said, Floyd and Oglesby made upon her.

She said the boys drove off Highway 42 in Clayton County the first time and assaulted her, one after the other, while she screamingly protested. She said she attempted to flag a passing automobile but her arms were pinioned to her side by Oglesby, who, she said, cried, "Oh, no, you don't stop that car!"

Later, she told the jury, the boys put her in the back of the car and continued to drive south, crossing a railroad track where Floyd attacked her again. She said Floyd then got out of the car and Oglesby drove "around some more," subsequently picked up a friend in McDonough to drive for him "because he said he didn't have a driver's license and he was scared to drive himself," and later put the friends out of the car and attacked her himself.

The young woman said she succeeded in getting away "after Gene (Oglesby) passed out," and went to a Negro house where she obtained help.

She was preceded on the stand by Dr. J. K. Kite, physician in charge of the Scottish Rite Hospital, where she has been employed as a nurse for five years. Dr. Kite stated that he and Dr. Walter Holmes, gynecologist, examined the young woman July 24, the day after the alleged assault, and verified the fact that she had been assaulted. Questioned by Sol. Gen. Roy Leathers about her character, Dr. Kite said she had a good reputation.

Norris Broome, youthful Atlanta attorney, who said he had known the nurse since they were both high school freshmen, also testified as to her good character. He said he had been retained the day after the assault and had accompanied the girl and GBI Agent W. P. Tolly to the scenes of the various assaults.

Mrs. Eugene Oglesby, attractive wife of one of the defendants, stayed in the courtroom throughout the opening session.

"I know Gene's guilty of wrong doing," she said, "but I don't believe he committed this crime." She said they have been married three years and have a seven-month-old son, adding, "When you love a man the way I love Gene Oglesby you'll stick by him through anything!"

The trial started shortly before noon after the defense attorneys lost a heated battle to get a continuance on the ground that a material witness could not be subpoenaed.

The jury, selected from three panels, is made up principally of family men. Members of the jury are Joseph G. Mauldin, Frederick Carter, John C. Helton, J. B. Sams, H. H. McElroy, T. A. Wright, W. A. McClendon, R. S. Carr, H. J. Thomas, R. P. Tatum, R. V. Thrailkill and C. F. Lyle.

Charged With Rape,

Man Dies In Chair

BY ROBERT E. JOHNSON

A 24-year-old Atlanta youth's life was snuffed out Friday morning in an electric chair at Tattnall State prison, where he paid the supreme penalty for allegedly raping a 12-year-old Negro girl and a 23-year-old Negro woman.

The action is without precedent, as far as the records show.

Prison Warden R. E. Ballenger said the convicted rapist, Andrew Dorsey, was electrocuted promptly at 11 a. m.

With him at the fatal hour was a Methodist clergyman, Rev. Thomas H. Thompson, retired paster of Reedsville Methodist church at Greensville, Ga.

When asked what would be his last words, the youth sorrowfully said: "Tell my mother I had a good lawyer and he done all he could to save me."

Execution of the death penalty came to a climax 20 months and 10 days after a Fulton Superior court judge ordered Andrews to die in the chair December 3, 1947.

The convicted youth escaped the death penalty at that time when his sentence was stayed by a motion for a new trial which was reviewed before the Supreme Court of Georgia. The high court [illegible] judgment [illegible] Fulton Superior court and he was resentenced to die December 2, 1948.

Governor M. E. Thompson stayed the execution for the second time, but the State Board of Pardon and Parole denied the prisoners application for commutation of the death sentence to life imprisonment.

Then the end came for the doomed man Tuesday when Judge Virlyn B. Moore, presiding in the Fulton Superior court, ordered that the execution be carried out Friday, August 19.

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Guam Soldier Condemned To Die In Slaying

The Journal of Guide
Norfolk, Va.

By International News Service

GUAM — Pvt. Herman P. Dennis Jr., was found guilty Monday, of participating in the rape and murder of beautiful Ruth Farnsworth in Guam jungle patch.

The 20-year-old Negro Air Force soldier from Calvert, Tex., was sentenced to die, for the crime. Sat. 5-21-49

A 20th Air Force general court martial pronounced the guilty verdict and the death sentence. The judgment was reached unanimously after 90 minutes of deliberation.

The trial board rejected a defense plea that its findings be kept secret pending the separate trials of two other Negro soldiers accused of taking part in the rape-slaying.

OTHERS ACCUSED

Also charged with participation in the crime are Pvt. Calvin Dennis, of Frederick, Md., half-brother of Herman Dennis and Staff Sgt. Robert W. Burns of Spokane, Wash.

The 27-year-old Miss Farnsworth, a striking beauty from San Francisco, employed by the Navy on Guam, was seized by three men on the night of Dec. 11 as she left a jade shop where she worked part-time to earn extra money for a trousseau.

She was carried off into the patch of jungle to the rear of the curio store and there repeatedly criminally assaulted and beaten. It was nearly two days before she was found lying unconscious amid the tangled underbrush. She died a few hours later.

SHOWS NO EMOTION

Herman Dennis betrayed no emotion as he stood rigidly at attention and heard himself sentenced to die. When the presiding trial board officer completed reading the verdict and sentence, Dennis saluted stiffly, then turned on his heels in a military about-face and marched back to the counsel table where he sat down beside his attorney.

The case now goes before the Army's Board of Review in Washington. If the board confirms the death penalty, it will go to President Truman for final decision.

In closing arguments, the death sentence was demanded by the prosecution.

DEFENSE ARGUMENT

When the military tribunal ought in its verdict, defense ounsel urged that announcement of the court's findings be thheld until after Pvt. Calvin Dennis and Sgt. Burns have been tried.

...n Guam Slaying

...Twentieth Air ...martial today ... Negro Pvt. Herman P. ...nnis, Jr., to death for the assault slaying of Ruth Farnsworth. ...announcement of the death penalty came shortly after the eight-man court indicted a conviction.

...Islam Slayer Doomed

GUAM, May 25 (AP).—A sentence of death was pronounced today on Private Calvin Dennis, of Frederick, Md., in the rape-murder of Miss Ruth Farnsworth.

A 20th Air Force court martial found him guilty and assessed his punishment the same as that of his half brother, Private Herman Dennis, of Calvert and Seguin, Tex., who was sentenced to die last week.

Calvin Dennis denied participation in the crime, but admitted being present when Miss Farnsworth was slugged and carried into the jungle Dec. 11.

...thers Did Killing, Doomed Of Says

...Sticking to the testimony that failed to save him from the death penalty, Calvin Dennis stated last week that his half-brother, Pvt. Herman Dennis and Sgt. Robert Burns killed and criminally attacked Miss Ruth Farnsworth on Dec. 11.

At previous separate trials conducted by the 20th Air Force, Dennis of Frederick, Md., and his half-brother, Herman of Sequin, Texas, both were convicted and sentenced to death. Sergeant Burns, 32, of Spokane, Wash., is now on trial for his life.

Struck Down in Shop

Calvin Dennis, testifying at the court-martial, stated that Miss Farnsworth, a Navy civilian worker from San Fransico, was struck down in a jade shop where she worked, and he (Calvin) drove a truck in which she was taken, unconscious, into a nearby jungle. Herman Dennis and Sgt. Burns criminally attacked her and left her in the jungle to die, Calvin Dennis stated. He denied that he participated in the attack at all.

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FREE AT LAST, MAN TELLS INSIDE STORY

Courier Sat. 8-20-49 Pittsburgh, Pa.

Lawyer, Victim Receive Threat

By TED COLEMAN
(Courier Chicago Bureau)

CHICAGO—They told him they would get me if it was the last thing they did. Jim Montgomery told Courier when he came from the sunlight a free man after his long term of imprisonment at Jo... Strangely enough, there was no rancor or bit... in the heart of this man whose story has re... to all corners...

The words he uttered told eloquently why he had served twenty-five of the best years of his life behind the walls of the Illinois Penitentiary for a crime which a Federal judge said had never happened.

WON HIS SUIT

"It all stems from my securing an injunction for $12... damages from the police in a suit about a year before the Snow incident," said the victim of one of America's greatest injustices. "The police had made an unjust raid on my house in search of unlicensed liquor and beer. When I won the suit, they told me they would get me if it was the last thing they did."

That's the story behind the story of James Montgomery who got a life sentence from a jury for allegedly raping a white woman . . . a rape which never happened. And behind that story there is another story: the story of a faithful and loyal wife who never gave up hope that some day justice would triumph and her man would be back home with her and...

TELLS COURIER WHY

That dream came true for Mrs. Sentoria Montgomery last week. But why [illegible] happened? Only James Montgomery can tell the true story of that, and he told that story to The Pittsburgh Courier this week.

"Jim," as he is known to his inmates, told The Courier that he just didn't belong in jail and that he had prayed that God might shed light on his case to reveal the truth, even though the years kept piling up as he wore the drab grey prison garb of Joliet.

Except for a few grey hairs and a bit of extra heft around the belt line, "Jim" hasn't changed a bit according to relatives and friends who knew him "when." We expected to find a man with a heart filled with rancor, bitterness, hatred and a great contempt for his fellowmen who had wrought this great miscarriage of justice upon his innocent head—all because of vindictiveness and hate. But it was not that way.

"Jim" holds no bitterness against anyone. He says so and when he said it you could feel the ring of sincerity in his voice. He really means it. He is anxious to resume his work as a machinist, so rudely broken off at a Waukegan recreation hall on the night of Nov. 15, 1923, when the police picked him up and tossed him into a cell where he stayed for twenty-eight days before they finally booked him for a crime.

They didn't let him see his wife. Couldn't allow it, police said. Yes, they beat him, too, while he was in that jail. They beat him to try to make him "confess" to the alleged crime. Jim still carries a mark from those beatings. It's almost gone, but you can still see it. In Jim's heart there still remains, too, a scare born of those beatings.

"It was awful," he told The Courier, "but I'd rather have died than confess to something I didn't do." That sounded for all the world, just like the modern "Inquisitions" inflicted upon helpless Negroes down in the Deep South by the blue-suited "defenders of the law"—policemen, they are ordinarily called.

KU KLUXERS MOVE IN

Up here in Illinois, The Courier learned that even the hideous Ku Klux Klan brought its forces into the picture and put pressure on the state, on Montgomery and Montgomery's lawyers. That's the usual Southern treatment in cases where a Negro man in involved with a white woman. Of course, down in Dixie—and in other places, too—white men can get away with that same sort of thing . . . but a Negro man just can't do it. As the Germans say, it is "verboten."

Even the state's chief prosecutor, the late A. V. Smith, knew the cards were stacked against Jim and that a railroading act was being staged, but that didn't make any difference. Jim "had to go," and Jim went.

While in prison, Jim says he resigned himself to his fate, but kept insisting that he really didn't belong there. He gained many friends while "in." His story "I don't belong here" kept ringing until it bounced outside the prison walls and into the ears of Atty. Luis Kutner.

Kutner became interested in the case and launched a relentless investigation, determined to turn over every stone until he found the truth in Jim's case. He finally found it, and last week Jim Montgomery breathed the air outside prison walls for the first time since those dark days of 1924—twenty-five long years ago. He's happy now. He's looking to the future and his eyes are bright with hope.

James Montgomery is the father of five grown children. His loyal and faithful wife was only eighteen when he was snatched away from her. One of his sons was killed in action fighting for the country—and state—which had robbed his dear father of his most precious possession, freedom. It was a touching scene when the family was reunited.

GOING TO MICHIGAN

"Jim" plans to move to Woodlawn Park, Mich. That's a surburb some thirty miles west of Detroit where his brother-in-law, Edward MacFletcher—another faithful and loyal supporter—owns five lots. Jim plans to get a job as a machinist there and raise chickens in his spare time. He feels that he'll get the $100,000 he's asking from the great State of Illinois for his unjust imprisonment.

And—true to the end—his wife Sentoria, is right beside him.

Hoosier Rape-Slayer Is Sentenced to Death

Fort Wayne, Ind., Dec. 1 (AP)—Franklin Click, 30-year old father, was sentenced today to die for the rape-slaying of Phyllis Conine, Fort Wayne high-school girl.

The handsome celery-farm worker, who has five children, was convicted of first-degree murder at 3:42 a.m. by an Allen County Circuit Court jury.

Click smiled and seemed relieved when Judge William H. Schannen was called from his home and pronounced the death sentence half an hour later. When returned to his jail cell, Click drank a cup of coffee and fell asleep again.

Execution Date Set

Judge Schannen set Click's execution for next March 27 in the electric chair at Indiana State Prison in Michigan City.

Click already has started to serve a life term for the kidnap-rape of a 19-year-old Fort Wayne housewife last summer. He also is under indictment in the sex slayings of Wilhelma Haaga and Anna Kuzeff. They and the 17-year-old Miss Conine were killed here in 1944.

Click's wife, Marie, was in the courtroom for the verdict and sentencing. She showed no emotion. She already has filed claim for $16,500 in rewards in the three slaying for telling police Click confessed the slayings to her.

Acquittal Asked

Click's lawyers brought the trial to a sudden close yesterday by calling no witnesses. But they asked the jury for an acquittal. One of them, Dan C. Flanagan, called the Conine confession "phony."

The Kuzeff and Haaga slayings were admitted two years ago by Ralph Lobaugh, Kokomo, Ind., factory worker. Lobaugh pleaded guilty to a first-degree-murder charge and was sentenced to death, but later won the right to a new trial. He now faces a perjury indictment.

Lobaugh actually was sentenced for the sex death of still another Fort Wayne woman, Mrs. Dorothea Howard. Since then another man, Robert V. Christen, Denver, Col., grocer, has started to serve a life term in the Indiana prison for that death. A jury convicted him.

Father of 5 Gets Death in Attack-Slaying

FORT WAYNE, Ind. (AP) — Franklin Click, 30, father of five children, was sentenced to death in the electric chair for the rape-slaying of Phyllis Conine, 17, high school girl.

Click's wife was in the courtroom.

He also is under indictment in two other sex murders, those of Miss Anna Kuzeff and Miss Wilhelma Haaga. He already had been sentenced to life imprisonment in the kidnap-rape of a 19-year-old Fort Wayne housewife.

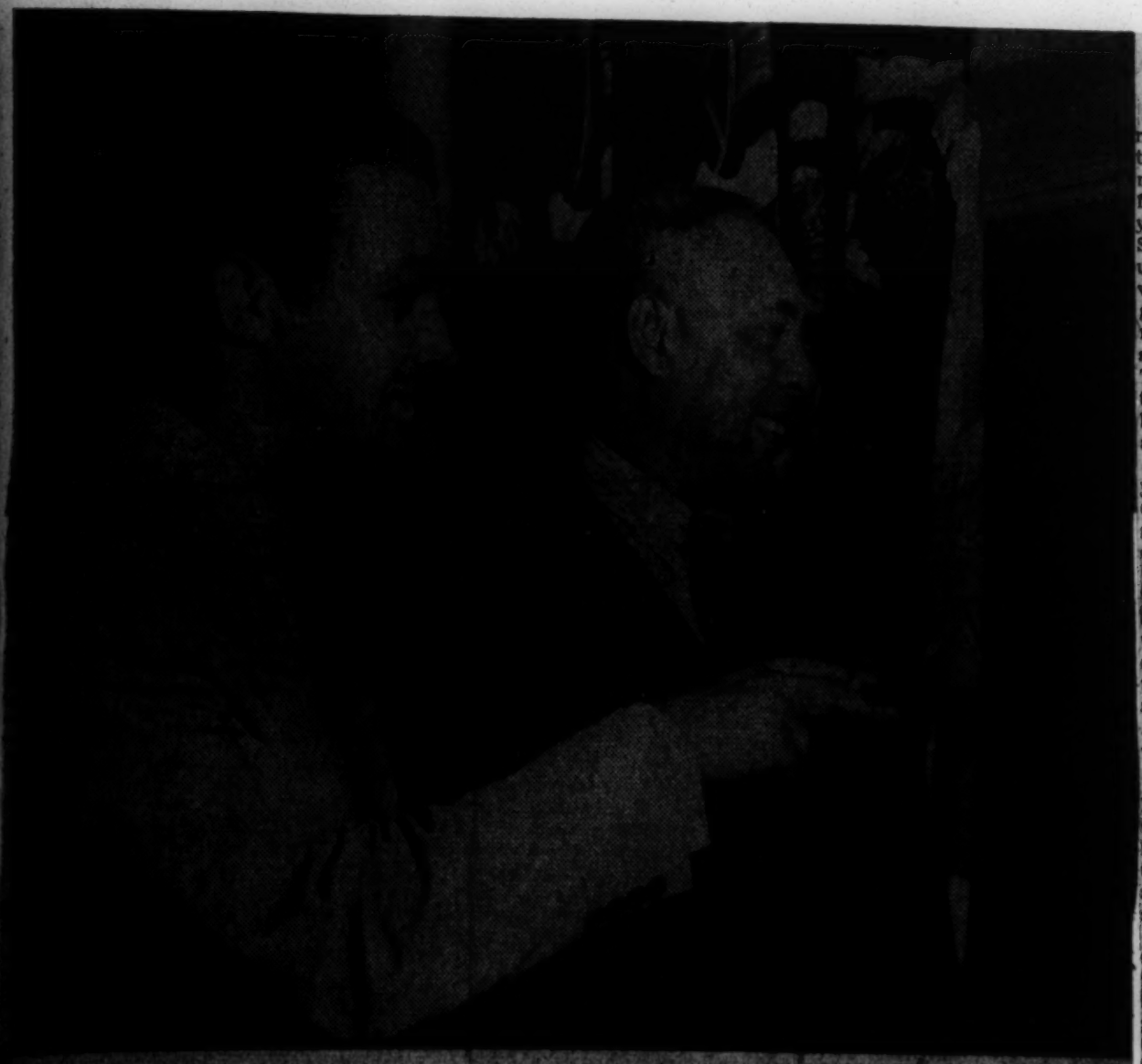
Click

The State said Click admitted slaying Miss Conine.

The killings of Miss Kuzeff and Miss Haaga have been alternately confessed and denied by Ralph Lobaugh, of Kokomo, Ind., who now is under death sentence for still another sex slaying, that of Mrs. Dorothea Howard.

Another man, Robert Christen of Fort Wayne, is serving a life sentence in Mrs. Howard's slaying.

7881



James Montgomery (right) and his attorney, Luis Kutner, looking out of office window after Montgomery had been freed from prison.

Big Jim's Loyal Wife Never Gave Up Hope

(Pittsburgh Courier Press Service)

CHICAGO—The happy smile of a loyal wife who had worked twenty-five long years for his freedom—and a paltry $10 bill from the great state of Illinois—greeted 56-year-old James Montgomery when he strode into the sunlight last week after serving twenty-five years in the Illinois Penitentiary for a crime which never had happened.

Montgomery was held in the Joliet Jail for twenty-eight months before he was even booked on a charge of allegedly raping "Miss Snow," 16-year-old white woman, Mamie Snow, member of Zion City Church. She had been previously examined by Dr. John E. Walter of Waukegan.

NO SIGN OF RAPE

When medical authorities examined the allegedly raped woman, they found no evidences whatever to substantiate any claim that she had been raped. The woman was later committed to a mental institution where she died.

Adding to the black infamy of this town was the fact that the Ku Klux Klan rank its forces into the act and threatened Montgomery and his defense counsel and prevented them from presenting any witnesses in Montgomery's defense at the trial. The entire affair was in perfect and absolute keeping with the finest principles of American "democracy."

The state's attorney, A. V. Smith, now dead, suppressed the fact that the white woman had not been raped. And just like the jury that freed the confessed lynchers of young Willie Earle at Greenville, S. C., in 1947, the Waukegan jury upheld the sovereignty of the great white race and because Montgomery was a Negro his word meant nothing, even though he stoutly protested his innocence. They sent him on to the state penitentiary for the rest of his natural life. He was thirty-one years old at that time.

At long last, after twenty-five years behind the grim gray walls of the state's prison, James Montgomery gained his freedom for the crime which he did not commit.

He walked out of Joliet's Statesville Prison last week into the bright sunshine a free man, but with twenty-five of the best years of his life left behind him inside that dark dungeon which houses some of the worst criminals in America's history of infamy..

WILL ASK $10,000

His attorney, Luis Kutner, says he will file a claim for $100,000 through the Illinois State Legislature. If that legislative body fails to see the justice of his claim and act accordingly, then Kutner will seek recourse through the courts.

This sum, Montgomery's lawyer says, represents the money the imprisoned man would have earned had he not been in prison. Montgomery was a machinist at the time of his arrest. He wants to return to that trade. Right now he is living with his brother-in-law, Edward MacFletcher. His wife, Mrs. Sentoria Montgomery, is living there, too.

Fulfilling her martial vows as a faithful and loyal wife should do, Mrs. Montgomery worked unceasingly for her husband's freedom. It took twenty-five long years to accomplish the task, but the faithful wife never gave up hope and last week when Federal Judge Michael L. Igoe listened to her attorney and heard his arguments and the evidence presented in behalf of the man who had already done a "stretch" of twenty-five years, the Federal jurist called the original trial "a sham" and ordered freedom for the 56-year-old Negro.

The crime, Judge Igoe ruled, had never existed in fact and Montgomery had become a victim of the sort of "justice" with which Dixie courts are flavored. Freedom was the antidote prescribed. Today, Montgomery has it. The future is uncertain. Says Montgomery: "First, I'm going to Chicago and see about that job that was mentioned to me while I was in prison. I was a skilled mechanic when they put me away in 1924. That's what I am today and that's the work I'm looking for."

What does the great state of Illinois say?

Assistant Attorney General Raymond F. Thiesse, who fought the habeas corpus proceedings which brought freedom to Montgomery, declared that the state would appeal the ruling of Judge Igoe.

Montgomery is a veteran of World War I and has no previous police record. However, he is a Negro.

7882

How It Feels to Be Free!

Ku Kluxers Still Stalking 'Big Jim' After 25 Years

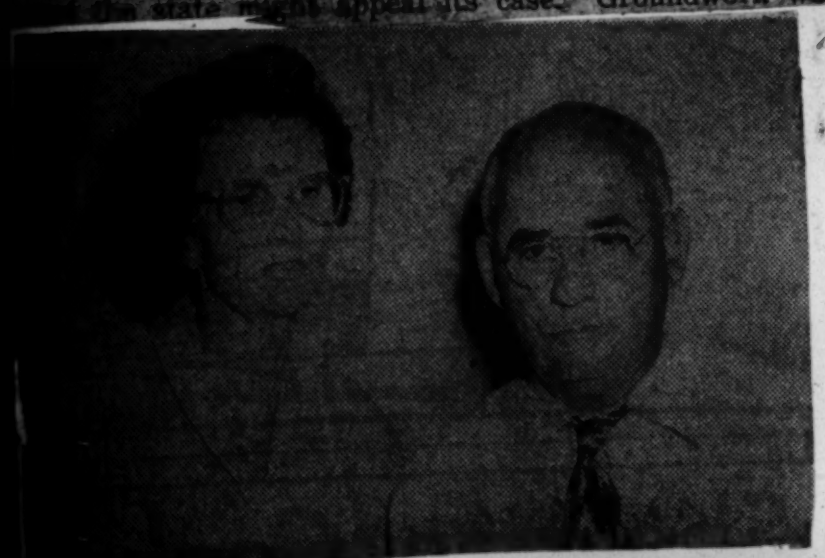
Pittsburgh Courier
Pittsburgh Pa. Sat. 1-24-49

By TED COLEMAN
(Third in a Series)

27e(2)

CHICAGO—The fanfare of "Big Jim" Montgomery's re- to Waukegan after twenty-five years was still at its ht, but little did he know that he was in for a shock ch was to mar the family celebration.

His lawyer was still working on legal procedure in the the state might appeal its case. Groundwork was



After 'Big Jim'— Mrs. Grace Hough of Zion City, Ill., and Ralph E. Pierce of Rose- Fla., attempted to block Jim Montgomery's release prison. Although the pair claimed that they could e he was guilty, they were thwarted by Judge Igoe's de- The above picture was taken during the couple's earance in U. S. District Court.

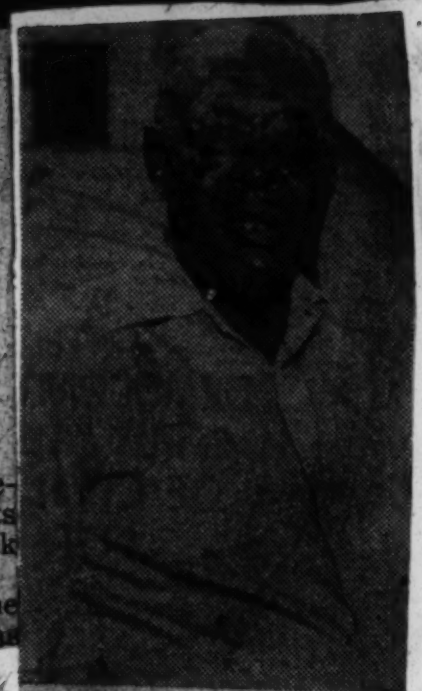
laid for his return to a normal life and the rebuilding financial status. (He had but $10 to his name when released from prison and the suit he wore on his In fact, Jim had settled himself down to believing everything was all right.

med like a bombshell on day after he was home. Santoria received a let- day and she could tell as ed it that something was with trembling hands she it over to him and stared

"It's them again. They're still at Why don't they leave us alone," she blurted out in a hysterical sob.

Signed By KKK

Jim stared at the letters KKK at the end. It was postmarked from Chicago and was written in longhand with a pen on blue lined stationery and contained language



JIM MONTGOMERY
. . . took on a stern look

familiar to Jim. He had heard practically the same words as those in the letter shouted at him before. They seemed to jump right out at him. The letter was full of hate and scorn. It blasted all black men as repulsive animals. It demanded that he leave town. It threatened his life and that of Atty. Luis Kutner, who had worked so diligently to uncover the lies which had convicted him. It indicated that "Big Jim's" life would be continually in danger until the Mamie Snow incident had been avenged.

He comforted Santoria as best he could, but she trembled all over. It didn't do her condition any good. She was already a very sick woman, broken down by the years of waiting and hoping. This was a little bit too much. She had been up and about for a couple of days, her body and spirit strengthened by her husband's return. The shock put her back in bed.

Face Is Stern

"Big Jim's" face took on a stern look. His mind went back to 1923, beatings he endured, the frameup trial and his imprisonment. All of it had been the work of known members of the Ku Klux Klan. Thomas Kennedy, then chief of police in Waukegan, who reportedly threatened him with the Ku Klux Klan at the time of his arrest was dead. So was A. V. Smith, then State's Attorney, who also resorted to the same tactics in pressing the case against him. He went back farther than that to when he was a boy in Mississippi when hooded mobs terrorized colored residents, burning and lynching Negroes at the drop of a hat. He had heard white men joking about it. "Rape a gal and blame it on a N—r." That was all it took. Surley he wasn't going to have to go through that again, he thought.

The only difference now, he was not afraid. He had already paid with twenty-five years of his life for a crime he never committed. He just wasn't going to be dogged anymore. His only words were, "I'm not afraid. They can come and get me if they choose." He said it like he meant it.

Jim contacted his lawyer and turned the letter over to him. He in turn gave the correspondence to the Federal Bureau of Investigation. Shortly afterwards, Montgomery's telephone connections were wrecked by unknown persons and an investigation started.

Remembers "Incident"

It was revealed earlier by Attorney Kutner that postal markings on the fiery letter indicated that it was mailed from the vicinity of Zion City the home of the now deceased Mamie Snow. It brought to Jim's memory an incident during his habeas corpus appearance in U. S. District Court just before his release. There were two relatives of Mamie Snow in Chicago those days. Their presence could not be connected with the letter, but Jim had his suspicions.

Mrs. Grace Hough said she was not out to persecute Montgomery, but was seeking the truth. She contended that Dr. John Walters, examining physician in the case, immediately after the supposed rape of Mamie Show, didn't look for evidence of rape when he examined the woman at the hospital that night. (It was Dr. Walter's statement that there was no sign of rape which paved the way for Montgomery's release after the doctor's silence for twenty-five years.) She claimed the hospital records did not show the true condition. She said she bathed and cared for the victim for a week straight and knew what she was talking about.

Offered A Bride

Ralph E. Pierce claimed he saw the woman the night of the alleged attack and that she related how Montgomery had been kind to her, helping her along the street, finally luring her to an old shack in a cemetery where he attacked her. He said she escaped when "Big Jim" was frightened off by some passersby who heard the sounds of the struggle.

"Big Jim" branded all of this as a lie. Eddie McFletcher, his brother-in-law and Sentoria backed him up.

McFletcher said, Pierce looks like one of the men who attempted to bride me to testify against Jim. McFletcher said, "A man who gave his name was Pierce came riding into Waukegan on a horse shortly after the incident and approached me about "that d—n Jim Montgomery. Before I told him who I was, he made me a proposition of $700 and a brand new suit if I would join two or three others who had already promised to pose as witnesses. It was during the time of Voliva's reign in Zion and the cult had plenty of money, McFletcher said.

No Klan Activity

He was not able to identify Pierce, however, but he said he was sure the man was one of the Pierce brothers who figured prominently in the case. "It's hard to tell after twenty-five years," he said.

So far, citizens in Waukegan have had no reason to believe the Ku Klux Klan is operating in their town as there has been no outward sign of activity. Numerous events in and around Chicago and recent flareups of the organization in other parts of the country recently gives rise to the belief that anything might happen in this direction.

James Montgomery and his family are still at 533 Market Street and have been promised the full protection of the law. Many citizens learning of the recent threats, make periodic visits to the home day and night to see that everything is all right. They vow nothing like that is going to happen to Jim.

CHICAGO — (ANP) — James Montgomery, 56, recently released from the Illinois state prison after serving twenty-five years on a false charge, officially became a free man last week when the state failed to file an appeal in Federal Court.

Montgomery is now writing his memoirs of his days in prison. His attorney, Luis Kutner, reported that donations are pouring in from all parts of the country. He said this money is being turned over to the James Montgomery foundation, a fund to help others in plights like his.

7883

Crime Non-Existent, Trial 'Sham,' Court Frees Negro After 26 Years

27e(2) Ill.

Special to THE NEW YORK TIMES.

CHICAGO, Aug. 10 — James Montgomery of Waukegan, Ill., a Negro who had served nearly twenty-six years of a life sentence for rape, was freed today after Federal Judge Michael L. Igoe in Federal District Court called his trial "a sham" and said Mr. Montgomery was convicted because the state suppressed vital evidence. Mr. Montgomery is now 56 years old.

Upon his release from Stateville Penitentiary a representative of the prison gave him $10, the amount given to all convicts upon their discharge.

The judge found as a fact, uncontroverted by the state, that threats of reprisal by the Ku Klux Klan were used to prevent Mr. Montgomery or his counsel from presenting any defense witnesses at the trial.

Mr. Montgomery was convicted in the Circuit Court of Lake County on Jan. 9, 1924, of raping Miss Mamie Snow, then 62, a Waukegan itinerant who made a living selling shoe laces from door to door. On Nov. 15, 1923, Miss Snow later was committed to a mental institution where she died.

Miss Snow was examined at the time by Dr. John E. Walter of Waukegan. He found she had not been raped. This finding was known to the then state's attorney, A. V. Smith, now dead, but was suppressed.

Dr. Walter appeared before Judge Igoe at a hearing on a writ of habeas corpus filed in behalf of Mr. Montgomery on June 27. Judge Igoe at that time took the case under advisement.

In freeing Mr. Montgomery, Judge Igoe noted that the trial procedure was dominated by the State's Attorney, that the State's attorney threatened retaliation by the Ku Klux Klan if Mr. Montgomery or his counsel attempted any defense and that the issue at the trial was not the guilt or innocence of the accused, but racial subjugation.

He further found that the testimony of Miss Snow at the trial was false, and that although the State's Attorney knew it to be false he wrongfully used it to convict Mr. Montgomery.

At the time Miss Snow complained of being raped she picked Mr. Montgomery out of a group of Negroes as her assailant, but was unable to identify him the following day.

27e(2)

When Mr. Montgomery sought his liberty on bond the Waukegan Chief of Police told him, Mr. Montgomery testified, "You know if you were in Georgia or Mississippi we would turn you over to the Ku Klux Klan. We are liable to do that now, because I am a member."

Thurs. 8-11-49

At the time Mr. Montgomery was arrested he was a property owner, married, a veteran of the World War, with no previous police record.

Mr. Montgomery's attorney said an effort would be made to have the legislature vote an appropriation to compensate Mr. Montgomery for his years in prison, although this could not be done immediately since the state was planning an appeal. The attorney said there was no way Mr. Montgomery could bring suit for damages for his wrongful detention.

Raymond F. Thiesse, assistant attorney general who appeared for the state in the habeas corpus hearing, said the state would appeal from Judge Igoe's ruling. He asked that Mr. Montgomery be Igoe refused his request.

Commenting on the credibility of Miss Snow as a witness, Judge Igoe observed that "the testimony of such a witness in any field of litigation should be of little credence, yet without her testimony the case against Mr. Montgomery would have collapsed had the prosecuting attorney exercised the degree of impartiality and fairness which is sworn duty in the rendition of true justice."

"Society cannot suppress lawlessness by means of lawlessness in prosecution. Society cannot inspire respect for law by withholding the protection of law from those accused of crime. It was and is the prosecuting attorney's duty to assist in giving a fair trial to the defendant."

After noting that someone identified with the prosecution had suppressed material evidence which, if it had been brought to the attention of the jury or the trial judge must have resulted in an acquittal, Judge Igoe said:

"To condone the method of evidence in this case is to invite grave injustice. There is one way to stop a practice that has become altogether too common and that is to bring it to a conscious life where the public can scrutinize it and take such steps as are necessary to insure a true rendition of justice to all, regardless of race, creed or color."

The court then found that Mr. Montgomery's conviction was a denial to him of the due process of law under the Fourteenth Amendment to the Constitution, and ordered him released.

With Mr. Montgomery in court were his wife, Sentoria, of Waukegan, who for more than a quarter of a century has continued to work for his vindication, and a sister, Mrs. Bessie W. Tilford of Chicago.

After 24 Years, Court Says Rape Wasn't Committed

Thurs. 8-11-49

27e(2) Ill.

Chicago, Aug. 10 (AP) —A convict who served more than 24 years of a life sentence was freed today. A court ruled that the crime of which he was convicted never happened.

Ordered released from Stateville Prison was James Montgomery, 54-year-old Negro, convicted on a rape charge in Waukegan on January 9, 1924.

Federal Judge Michael L. Igoe held that the trial of Montgomery was "a sham" and that the Negro was "unjustly convicted."

Igoe held that the then State's Attorney of Lake County, A. V. Smith, now dead, suppressed evidence which would have proved Montgomery's innocence.

Montgomery was convicted of raping Miss Mamie Snow, 62. She died several years later in a mental hospital. Dr. John E. Walter testified she was not raped.

7884

Father Of Five Convicted In Rape-Slaying Of Girl

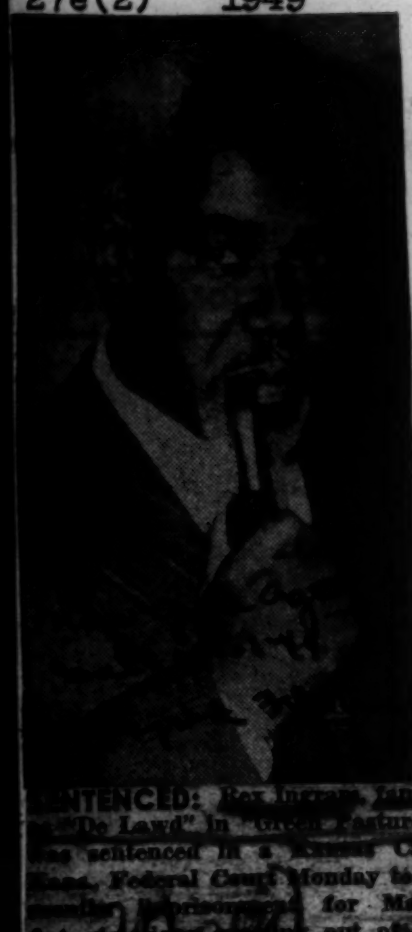
FORT WAYNE, IND., Dec. 1.—(AP)—Franklin Click, 30-year-old father, was sentenced before dawn today to die for the rape-slaying of Phyllis Conine, Fort Wayne high school girl.

The handsome celery farm worker, who has five young children, was convicted of first-degree murder by a jury that had deliberated all night.

Click smiled and seemed relieved when Judge William H. Schannen pronounced the death sentence. Judge Schannen set Click's execution for next March 27.

Click has already started serving a life term for the kidnap-rape of a Fort Wayne housewife last summer. He is also under indictment in the sex-slayings of Wilhelmina Haaga and Anna Kuzeff. They and the 17-year-old Miss Conine were killed here in 1944.

Click's wife, Marie, was in the courtroom for the verdict and sentencing and showed no emotion. She has already filed claim for $16,500 in rewards in the three slayings for telling police Click confessed the slayings to her.



SENTENCED: Rex Ingram, [illegible] "De Lawd" in "Green Pastures" [illegible] was sentenced in a Kansas City, Kans., Federal Court Monday to 18 months imprisonment for Mann Act violations growing out of the alleged transporting a teen-aged white girl from the Midwest to New York for immoral purposes and for sending obscene letters through the mails.

when he was arraigned in Topeka, Kan. He has been at liberty on a bond of $2,500 since that time pending sentence. The counts against him were violation of the Mann Act, and mailing an obscene letter.

Sentence was imposed upon Ingram by United States District Judge Arthur J. Mellott in Federal court at Kansas City, Kan. The actor was sentenced to the custody of the U.S. Attorney General who will designate the prison where he was to serve the penalty within ten days.

Pair Met in Hollywood

The Government charged that a relationship sprang up after the girl, Jeannetta A. Hughes, and her mother met Ingram when they made a visit to Hollywood in 1948. Ingram is alleged to have written to the girl and to have arranged for her transportation to New York, where they shared his hotel room, registering as man and wife.

Miss Hughes, an attractive girl who appears to be much older than 15, was sent to a girls' training school after the escapade, continuing to say of Ingram, "I love him, I love him."

Before passing sentence, the judge denied motions filed by Defense Counsel Elisha Scott of Topeka, Kan., asking for a one-year probation or that the sentence be deferred in order that Ingram could "carry out a contract to appear in England," to provide for his invalid mother.

Mann Act Brings Negro Jail Term

KANSAS CITY, Kan., Oct. 4—(AP)—A federal judge sentenced Negro Actor Rex Ingram to 18 months in prison yesterday on a Mann act charge involving a 15-year-old white girl.

Ingram was charged with transporting 15-year-old Jeanette Anna Hughes of Salina, Kan., to New York for immoral purposes.

The 33-year-old actor pleaded guilty last May to that charge and also to one of sending a lewd letter through the mails to the girl.

Transfer Rex Ingram To U. S. Prison Camp

KANSAS CITY, Kan.—Rex Ingram, [illegible] actor who played the role of "De Lawd" in "Green Pastures" [illegible] Friday from the Wyandotte County jail to the federal [illegible] at Springfield, Mo. Ingram was sentenced October 4 to 18 months in jail for violation of the Mann act involving a teen age white girl.

Ingram Sentenced In Mann Act Case

KANSAS CITY, Kan.—Rex Ingram, 53-year-old actor who played the role of "De Lawd" in the movie version of "Green Pastures," last week was sentenced to 18 months in prison on the charge of transporting a 15-year-old girl from Salina, Kan., to New York [illegible]

Ingram pleaded guilty to a Federal court indictment May 5

Man To Take Lie Test In Rape Case

Lie-detector tests in Chicago today will decide whether or not Arliss H. Phelps, 31, of Portland, goes on trial on a charge of rape of an 11-year-old girl. The maximum penalty is death.

Phelps and the girl both will be given the tests. He agreed to take it himself and Assistant Commonwealth's Attorney Harry A. Poynter decided the girl should have one also.

Poynter and George S. Blaydes, Commonwealth's detective, said there had been some doubt in the minds of the prosecution about the case.

"We wanted to see what will show up in the test," said Blaydes.

Phelps is paying the way of himself and the child.

Man Sentenced To 12 Years In Rape Attempt

Arliss H. Phelps pleaded guilty yesterday to attempted rape. He was sentenced by Criminal Court Judge Lorraine Mix to serve 12 years in the penitentiary.

Phelps, 27, was indicted in September for rape of an 11-year-old girl. He denied it and paid $70 for himself and the girl to take a lie-detector test in Chicago. He "flunked," Assistant Commonwealth's Attorney Harry F. Poynter said, and then admitted the attempted rape.

Phelps, an automobile-body repairman, lived at 3[illegible]6 Portland. He will be eligible for parole in four years.

Rape-Slaying Trial Is Set For Aug. 15

Special Session Called by Judge In Bride's Death

By the Associated Press.

Pikeville, Ky., July 25.—Three weeks from today Blaine Edgar Jones, 32-year-old Navy veteran of Richlands, Va., is scheduled to go on trial on charges of murder in the slaying of Mrs. Lois Collins last March 11. He was indicted by the Pike County grand jury in May.

Circuit Judge E. D. Stephenson today set August 15 for a special court term to try Jones in the rape-robbery-slaying of the 19-year-old bride of six months.

The judge said he thought a "case of this kind should be tried as speedily as possible," and that he considered the special court necessary because of the crowded regular court docket.

Has Denied Rape.

Jones, who has signed a statement admitting the slaying and robbery, but denying rape, is being held at an undisclosed Eastern Kentucky prison.

He was captured last week in Grundy, Va., where he was serving a short sentence on a Bland County correctional farm.

Judge Stephenson said he expected difficulty in forming a jury. The slaying, one of the most brutal in this area in years, has created intense high feeling.

7878

Facing Electrocution for Murder, Man Confesses Slaying 6 Years Ago

(Special to The Times-Picayune)

Opelousas, La., April 21—One of two brothers who will die here May 20 for the murder of a Melville man has confessed to the slaying of another Melville man six years ago.

Joseph Cook, Negro, who with his brother Matthew will be electrocuted May 20 for the killing of Bernard Vouvillion and criminal attack on his woman companion last July, made the confession at the St. Landry parish jail here Tuesday night.

Sheriff Clayton J. Guilbeau said Cook, in an oral confession, told him and three deputies, that he slew John Wyatt, 70, at Wyatt's home after following him home from a picture show.

Cook said he beat the aged man with a stick, shot gun and ax. Then he knifed Wyatt in the heart, he told Guilbeau.

He said he took "some folding money" from Wyatt's pocket but did not remember the amount. Then, he said, he went to his house and slept until noon the next day.

He implicated no one else in the crime and told the sheriff, "If you want to know who did it, I did."

NEGRO CHEATS CHAIR BY TAKING OWN LIFE

Doomed Man Commits Suicide Despite Four Guards

HAMMOND, La., March 11.—L. C. Lloyd, 33, negro scheduled to die at noon Friday in the portable electric chair threw himself from a top bunk in the parish jail at Amite and died as a result of a broken neck.

Lloyd was found guilty by a jury of raping a white woman in Independence nearly a year ago. The case was tried in Judge Nathan B. Tycers division and he sentenced the negro to die for his crime, leaving Gov. Earl Long to set the date of execution.

Parish officials said the suicide occurred while the doomed man was under surveillance of four guards. The portable chair was installed Thursday on the third floor of the jail, and this afternoon was being dismantled to return to the state prison at Angola. This marked the first trip of the chair to Tangipahoa Parish, though legal hangings have occurred in the past.

Lloyd killed himself at 4:55 a.m., Dr. L. L. Ricks, parish coroner, said. He said Lloyd died of a broken neck. Sheriff Thomas I. Sanders said four guards had been on the alert "night and day" since Monday to prevent such an occurrence. One guard was continuously in the cell with Lloyd, another watched outside the cell, a third was posted in the hallway and a fourth guard was in the office downstairs. Sheriff Sanders told the press that when Lloyd killed himself "the guard in his cell was asleep and the one outside the cell had left momentarily."

Lloyd was calm Thursday and ate a chicken dinner with ice cream Thursday night. He was convicted last November for the crime he committed April 23, 1948.

State to Take Life of Man Fled Mob

OPELOUSAS, La.—An all-white jury deliberated twenty minutes to return a verdict of "guilty as charged" in the trial of Edward Honeycutt here. Charged with the attempted criminal assault on a white woman, Honeycutt escaped from a lynch mob after being removed from jail here two months ago, will be sentenced to death in the electric chair, the mandatory punishment for such conviction.

The first State witness to take the stand was Honeycutt was accused of raping. The prosecution contends that he admitted committing the crime Dec. 1 at Eunice, La.

The St. Landry Parish grand jury met several weeks ago and indicted Honeycutt on the rape charge, but took no action against three white men who abducted him from jail and sought to lynch him. The case against them was held over, their bonds continued, and no action was reported.

Honeycutt escaped early March 6 from a three-man mob consisting of Maxile Savoy, a former deputy sheriff; Arial Ledoux, a supervisor of the Veterans-on-the-Farm Training program, and Edward Miller, a Baton Rouge construction company employe, as they stood near a river flipping coins for the honor of killing him.

It is pointed out that should Honeycutt be sentenced and executed before his abductors are indicted and tried, there will be no prosecution witness against the trio.

Man Who Escaped Lynchers Doomed

Jury Convicts Him of Attacking Woman

NEW ORLEANS—(ANP)—John Honeycutt, who escaped three white men who abducted him from the Opelousas jail, as they paused by a river and flipped a coin to decide who would kill him, was found guilty of aggravated attack on a white woman by a jury in 25 minutes last week.

Judge Leasley Gardiner had instructed the jury that verdict of guilty as charged would involve the death penalty. He also cited other verdicts with lesser degrees of punishment.

Abductors not Tried

The grand jury which indicted Honeycutt did not investigate his abduction by the three white men, each of whom was held in $5,000 bail.

The defendant's testimony that Deputy Sheriff Arthur Richard struck him and forced a confession from him under duress was denied. . . . The abduction charge against the white men will end when an execution date is set.

Escapes Lynchers; Asks Court Stay

OPELOUSAS, La.—Counsel for a man who was kidnapped from jail, but escaped death at the hands of a mob by jumping into a river while the would-be lynchers flipped a coin to determine who would murder him, asked the state supreme court Thursday for a continuance of an appeal to review his case.

The prisoner, Edward Honeycutt, was convicted here of the alleged rape of a white woman of Eunice, La., last December 1.

7888

Ex-Convict Found Guilty of Attacking Matron, 33

The Afro-American
Baltimore Md.

BALTIMORE

Twenty-three-year-old William Dennis, released from the penitentiary two months ago, was convicted Wednesday, of criminally attacking and robbing a 33-year-old matron.

Judge Robert France withheld sentence pending a possible new trial motion by the man's attorney, Douglass Sharretts. Dennis also was convicted on charges of possessing doped cigarettes when arrested two days after the attack.

Attack Victim Also Robbed

The victim, mother of a 2-year-old child, said that Dennis, a well-known character in the neighborhood, accosted her on May 8, stuck a hard object against her back and forced her into the shadows of a Laurens St. school lot where he attacked her and robbed her of $4.

He was picked up two days later by officers who said he was carrying a pinch bar and two marijuana cigarettes.

Dating Woman, Man Says

Dennis contended that he had been friendly with the matron before he went to the penitentiary for burglary two years ago.

He further testified that on the night in question, he was "dating" her, but denied having anything to do with her sexually that evening.

...For Raping Girl Baby Sitter, 13

Baltimore, April 22 (AP).—George Hooper, 28, was convicted today of raping a 13-year-old girl he had hired as a baby sitter. He was sentenced to life imprisonment.

The defendant, a stevedore, earlier was described as insane by his doctor.

And his wife told the two-judge court hearing the case without a jury that her husband "always seemed trying to escape from something, from a sense of guilt after killing his first man in combat."

Imposing the sentence, Judge Mason said it would have "unhesitatingly been capital punishment" were it not for the fact that Hooper "saw service overseas and that service undoubtedly affected

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Michigan

7889

Two Sentenced on Rape Charges

Two men received sentences on rape charges in Recorder's Court [illegible] Parker, 38, janitor in a church at [illegible] under, was sentenced to five to 15 years for the Feb. 14 rape of a 12-year-old girl. [illegible] Herts, 27, of [illegible] Madison was sentenced to 10 months to 10 years for attempted rape.

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Mississippi

7890

A Wife Pleads To Nation For Innocent Husband

"PLEASE DON'T LET WILLIE McGEE DIE!"

BY CRS STAFF WRITERS

After four years of waiting for her innocent husband's freedom, a young Negro wife is pleading to the nation to save Willie McGee from electrocution by the State of Mississippi.

"Please don't let him die," Rosalee McGee has just written. "I want my husband to live. I need him so much to help me .... I am not giving up. I am praying every day that some good may turn up."

A fifth appeal to save the life of of Willie McGee was recently filed by the Civil Rights Congress with the U. S. Supreme Court. If this appeal and other contemplated last-minute legal moves fail, Mississippi "justice" will be free to take his life after Friday, November 4, for an alleged crime he did not commit.

Pending the Supreme Court decision, the Civil Rights Congress is urging that letters and telegrams be sent immediately to Gov. Fielding Wright, Jackson, Miss., requesting executive clemency for Willie McGee.

Ever since the frame-up began in November 1945, Rosalee McGee has been writing in an effort to save her innocent husband's life.

"I hate to write so much," she said, "but I have to do something to keep from worry so much. My husband is sick to his heart. He hate to see me cry and do all I can to keep from worrying so much. My husband is sick to his heart.He hates it seems to be the last time every visiting day."

McGee, father of four children, was forced to sign a confession" by three Mississippi police officers on threat of being turned over to a lynch mob. He had been picked up after a dragnet was thrown around the Negro community in Laurel, following a claim by a middle-aged white woman that she had been raped by "a man with kinky hair and a T shirt." She gave no other identification.

The alleged rape took place at four o'clock in the morning on Nov. 3, 1945, while a sick child admittedly slept with the woman, Mrs. Troy Hawkins, and her husband and two other children were sleeping in two adjoining rooms.

McGee has since undergone three trials in Mississippi court houses surrounded by lynch mobs. He has been defended either by court-appointed attorneys who were unable to confer with him, or by local defense counsel who were forced to leave the courtroom without summing up because of threats of bodily harm.

Three times, the Civil Rights Congress has taken appeals to the Mississippi State Supreme Court. New trials were ordered twice, but the third conviction was upheld. The United States Supreme Court recently refused to review.

After his third conviction, a midnight chase by a CRC attorney saved McGee from death three hours before his scheduled execution.

"The condemned man had eaten a $3.55 dinner and was ready to walk the last mile," complained The Jackson, Mississippi Clarion Ledger, giving its readers the full menu of what was to have been McGee's last supper.

When they came to tell Rosalee McGee that her husband was still alive, it was hard to make her understand. She had collapsed an hour earlier thinking that Willie had already been taken from her.

Two of their children have been sent to Nebraska because Mrs. McGee has no means of supporting them. The oldest, a girl of ten, had to be taken out of school to work for a living.

"I believe with God and CRC McGee will make it. Please don't let him die," Rosalee wrote in another letter. "I am closing with a feeling that you all and the good Lord will win my husband life."

A few weeks before the last-minute stay of execution was gotten for him, Willie McGee himself wrote, "I am praying that I can have another chance at life."

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Mississippi

7891

Execution Of Negro Rapist Stayed By Mississippi Court

Montgomery Advertiser 6-3-49

Montgomery Ala.

JACKSON, MISS., June 2—(AP)—The execution of Willie McGee, convicted of the rape of a young white woman in Laurel, Miss., in 1945, was stayed by the State Supreme Court again tonight.

The stay was signed by acting Chief Justice William D. Roberts shortly after 7 p.m. (CST).

It became mandatory to issue the stay after McGee's attorneys presented the court with the perfected appeal for submission to the United States Supreme Court.

The U. S. Supreme Court this afternoon had refused to issue McGee a stay of execution.

Sheriff Notified

Justice Roberts said he had notified Sheriff Steve Brogan of Jones County by telephone that the stay had been issued.

The latest appeal is based on assertions that McGee was denied his constitutional rights under the 14th Amendment. McGee won a reversal from the U. S. Supreme Court on similar grounds last year. He charged that Negroes had been systematically excluded from the jury which tried him for the crime for the second time.

He was convicted a third time and his execution was set by the State Supreme Court for June 3 after it denied his appeal from the third conviction.

The execution had been scheduled to take place shortly after midnight tonight.

Meanwhile, Gov. Fielding L. Wright reported tonight that he had been flooded by "hundreds, perhaps thousands" of telegrams from the North and East demanding that he stay the execution.

Wright said that he had had several long distance telephone calls as well.

He said it was apparently an organized campaign to pressure him into commuting the sentence.

Since his conviction in December, 1945 on "rape" charges in a mob-dominated court, with militamen standing guard, McGee has had two other trials. In each the lower court has convicted and sentenced him to death. Twice the State Supreme Court has reversed the decision. His third appeal is now headed for the State high court.

Patterson and Marshall declare that McGee can be held "indefinitely" in the death house while the procedure of conviction and reversal goes on.

After describing the third trial of McGee, where defense attorneys were forced by threats of mob violence to leave court before summing up the case to the jury, the statement continues:

"It is clear that Willie McGee not only was convicted each time without due process, but that it is impossible for him to have a fair trial in Mississippi. . . .

"The Supreme Court of Mississippi has, however, the power to dismiss this case and to free Willie McGee. This is the demand of the Civil Rights Congress."

The prosecutor in the third trial was elected on a platform which called for McGee's conviction and execution.

Say Mississippi Bars Justice in McGee Case

Daily Worker

Thurs. 2-17-49

Mississippi courts were accused by officials of the Civil Rights Congress yesterday of collusion in obstructing justice in the case of Willie McGee, a 33-year-old Negro prisoner who has been sentenced to death three times in three years.

7892

RAPE-SLAYER OF MINISTER'S WIFE EXECUTED

27e(2)

Laszlo Varga Dies in Nevada Gas Chamber

Carson City, Nev., June 7 (AP) —Laszlo V[illegible] was executed early today for the rape-murder of a Presbyterian minister's wife. As he walked to the Nevada prison gas chamber, the 23 year old Hungarian refugee said, "At last I'm happy." 6-8-49

There was no violence such as marked his 14 months in prison since the slaying of Mrs. Billee Rhae Morning, 22, of Wells, Nev.

Varga died as a Catholic priest intoned a prayer.

Takes Deep Breath Of Gas

He took a deep breath of the gas that seeped into the chamber from beneath the chair in which he was strapped. He was unconscious within seconds and was pronounced dead by Dr. Richard Petty nine minutes after the gas struck his face.

Varga died in a black religious habit, with a white cross on the back. It was cut off at the waist to allow for the chair straps. His body twisted, exposing a wound on his right shoulder. It had been inflicted by a tear gas shell several weeks ago, after Varga had attacked a death watch guard, Jack Parker, with a sharpened table knife.

Jailers Watch Execution

Parker and Jailer William Hines of Elko, Nev., who was attacked by the youth in the jail there, were among the largest group of witnesses ever to attend a Nevada execution. 6-9-49

Varga, who has been a patient in three mental institutions in New York and Michigan, had previously told psychiatrists that his parents were tortured to death by the Nazis during the war, but that he escaped.

This morning he told the Rev. John Ryan, however, that his parents still live in Hungary. He asked the priest to obtain photografs taken of Varga by authorities at Eureka, Cal., and forward them to his mother.

Prison gas chamber the 23-year-old Hungarian refugee said, "At last I'm happy." 6-8-49 Varga, who has been a patient in three mental institutions in New York and Michigan, had previously told psychiatrists that his parents were tortured to death by the Nazis during the war, but that he escaped. Tuesday he told a priest that his parents still live in Hungary.

Young Slayer Is Executed

27e(2)

CARSON CITY, Nev. (AP)— Laszlo Varga was [illegible] early Tuesday for the rape-murder of a Presbyterian minister's wife. As he walked to the Nevada

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New Hampshire

7893

7893

Jennings Doomed in Girl's Slaying

Woodsman Sentenced on Day of Conviction

OSSIPEE, N.H.—Ralph Jennings, 49-year-old woodchopper, was sentenced last Friday night to be hanged on July 5, 1950, for the slaying of Miss Ruth Eisenberg, pretty, white 22-year-old Newark, N.J., coed.

The all-male jury, which deliberated about 2½ hours, returned a verdict of murder in the first degree and a recommendation for capital punishment; and Superior Court Chief Justice J. R. Goodnow pronounced sentence immediately.

Jennings, a six-footer, made no comment on the verdict, except to say that his three lawyers would do the talking for him. Two of them were assigned to the case by the NAACP. An appeal to the Supreme Court is planned.

Sex Slaying Charged

The State charged that Jennings picked up Miss Eisenberg, the daughter of a Newark school principal on last July 21, when the girl was on a hitch-hiking vacation into the White Mountains and killed her while trying to criminally attack her.

Her body was dug up from a shallow grave by hunting dogs. Medical testimony indicated she died of asphyxiation. Her panties had been rammed down her throat. A watch formerly owned by the girl, found in Jennings' home, was damaging evidence against him.

7894

BENNIE HARRIS FOUND GUILTY OF RAPING YOUNG STEP-DAUGHTER

TULSA — Bennie Harris, 41, was convicted by a district court jury last week for rape of his 11-year-old stepdaughter, and life imprisonment was recommended.

The verdict was the second conviction on a rape count in the current court session. It was returned to District Judge Horace D. Ballaine after 50 minutes deliberation.

The stepdaughter testified that Harris' 10-year-old stepson saw the relation between Harrisand her but later thru coercion from his mother denied the statement.

Harris is an ex-convict having served two previous terms in the penitentiary. He denied ever touching his stepdaughter unlawfully.

County Attorney James P. Devine called the crime the 'Most heinous' he ever prosecuted and told the jurors anything less than the chair or life imprisonment would be a miscarriage of justice.

The girl is being housed at the Girl's Recruiting Home while her brother is being held at the Boys' Home, pending decision of juvenile court authorities.

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Scottsboro Case

7895

Scottsboro Case Good Example To Research On 'Where The Money's Gone'

NEW YORK—(ANP)—The old song in the Miller and Lyles shows "We all want to know where the money's gone" may well be applied to a number of cases in which people have been solicited for funds, says Morris L. Ernst, in a recent article on Democracy published in a weekly publication.

In citing the case of the Scottsboro boys which attracted national attention and much sympathy along with a million dollars in cash, Earl Browder once told me one million dollars had been raised for the Scottsboro boys. Judge Samuel Leibowitz, chief counsel for the Scottsboro defendants (he served without compensation or even repayment of his disbursements estimated that the total legal expenses in that case could not have exceeded $60,000.

I do not know what became of the remaining $940,000. But I am quite certain that many Scottsboro sympathizers who were under the impression that they were giving money to fight a grave infringement on civil rights would have been shocked on hearing to what uses their pennies and dollars had been put."

No meeting of protests is complete without a rousing collection mixed with some fund raisers rising to heights in this field. How much has loyalty cost you?

7896

"I COULDN'T HELP MYSELF":

50 Persons Watch Electrocution in S. C.

COLUMBIA, S.C.—Sobbing, "You're killing me for some-thing I couldn't help myself on," Leroy G. Troy, 22, of Tabor City, N.C., died in the State electric chair here on New Year's Eve for the criminal assault of a white woman in Horry County. He was sentenced last Oct. 12 [illegible]

As attendants fitted the wet skull cap over his shaven head, Troy asked "This ain't gonna hurt, is it?" and Dr. M. W. Cheatham, who pronounced him dead 4 minutes and 13 seconds later, replied "No."

The convicted attacker then mumbled something incoherently and State Electrician Sam Cannon, on a signal turned a wheel switch and 2,300 volts shot through Troy's body.

50 in Death Chamber

Troy admitted the crime, but said he was very drunk. However, FBI records revealed that he was charged twice previously with criminal assaults on women.

Fifty persons packed the death chamber when he was led to the electric chair, accompanied by the Rev. E. A. Davis and the Rev. C. R. Hahn, white, who had been in his cell praying with him.

Dressed in the gray prison garb, Troy walked slowly to the chair, his face stiffened with horror, then cried out "You're killing me for something I couldn't help myself on." A few minutes later, it was all over.

Jury Convicts Negro, Judge Denounces U.S. Supreme Court

GREENWOOD, S. C., Sept. 14—(AP)—A 24-year-old Negro was sentenced to death last night after an all-white jury deliberated 10 minutes and convicted him of raping a white girl.

The sentence closed a two-day trial that was marked by a court order to add Negro names to the jury boxes and by the judge's denunciation of the United States Supreme Court.

Judge Henry J. Johnson sentenced Willie Tolbert, of Greenwood County, to die in the electric chair on Oct. 28. Defense lawyers filed notice of an appeal to the South Carolina Supreme Court.

NEGROES ADDED TO JURY PANEL IN DIXIE RAPE CASE

Greenwood, S. C., Sept. 13 (AP)—The trial of a Negro charged with raping a white girl was scheduled to start here today after the judge ordered the names of qualified Negroes added to the jury box.

State Circuit Judge J. Henry Johnson yesterday struck out a first indictment charging Willie Tolbert, 24, of Greenwood county, with rape. He accompanied his ruling with a denouncement of the United States Supreme court.

Grants Defense Motion

Johnson granted a defense motion that the names of qualified Negroes be added to the jury box. He ordered a new grand jury and trial jury venire drawn in open court after the addition of Negro names.

That was done and a second grand jury was drawn from a box including 52 Negroes. The new grand jury, which included one Negro, promptly indicted Tolbert again.

The judge said he was granting the motion in accordance with a ruling of the United States Supreme court, but that didn't mean he had respect for the court.

Decision In Advance

"I can't have any respect for any court that announces decisions in advance," he commented. The Supreme court did that, he said, in a Georgia elections case. He added he hasn't fully respected the Supreme court for 15 or 16 years.

Tolbert is accused of raping a 16 year old daughter of a prominent Greenwood family. He surrendered to law officers recently after eluding possemen.

All-Negro Jury

Frankfort, Ky., Sept. 13 (AP)—The fate of George Adams, Negro charged with murder of a white man, will be decided by an all-Negro jury. Circuit Judge W. B. Ardery yesterday granted the request of his attorney-son, Philip P. Ardery, that Negroes be included on the panel from which the 12 trial jurors were chosen.

Attorneys Ardery and Charles L. Hobson, counsel for the defendant, protested to the judge that Negroes have been excluded from state court grand and trial juries here. Judge Ardery ruled Adams' civil rights were not prejudiced by his indictment by an all-white jury, but granted the demand that Negroes be included on the jury panel. Nine Negro men and three women then were chosen for jury duty.

Adams pleaded innocent. He is accused of the shooting and killing of Ransom Maddox and the wounding of Mitchell Maddox, a brother, on a farm near here April 4.

7897

Three Get Life For Raping Woman

Pittsburgh Courier

NASHVILLE, Tenn.—A criminal court jury last week sentenced three youths to life in prison for criminally assaulting a 29-year-old woman on the city dump last Dec. 3-26-49

The youths are Thomas E. Jones, 18, of 1212 oJ Johnson Avenue; James Avery, 18, of 454 Ninth Avenue North, and Evans A. Jackson, 21, [illegible] Avenue South.

Police said the youths robbed the woman of $20 following the assault.

7898

7 Men Due to Walk 'Last Mile' in July

The Courier Pittsburgh Pa. 27 E 2

By LEM GRAVES Jr., Staff Correspondent

MARTINSVILLE, Va.—The demoralizing impact of seven rapid-fire, consecutive death sentences—which if carried out will practically wipe out the young male population of an isolated suburban hollow—has left this small town community stunned and dazed.

Either because they didn't comprehend the gravity of the rape charges against six teenage boys and one 37-year-old man, or because they didn't believe the complaint of a 32-year-old white woman would stand up in court, or because they didn't believe any jury would send seven men to the chair on the basis of a single criminal complaint, Martinsville was not prepared for the seven death sentences ground out on a one-a-day basis by the Henry County Circuit Court here recently.

When they came, as they did on a dreadfully repetitive schedule with no allowances made for varying degrees of guilt, for discrepancies in testimony, and for the compelling force of the clearly established "electric chair" pattern which even the most objective juries would find difficult to resist, Negro Martinsville was shocked. By the end of last week, recovery from that shock was still proceeding at an exceedingly slow pace.

But as Martinsville recovered, there grew a determination to do something to correct what people here consider at least a partial miscarriage of justice.

Last week, the parents and relatives of the seven convicted Negroes asked the NAACP legal staff to come to the aid of these youths. In signed statements, they authorized the NAACP to do anything possible in connection with getting State Supreme Court of Appeal review of these cases in the hope that retrials before less hostile jurors might result in lesser penalties.

SIMULTANEOUSLY, local citizens launched a campaign to raise funds to defray the expenses of such action. They began to piece together the startling incidents of the night of June 5, the date of the alleged mass rape attack on Mrs. Ruby Stroud Floyd, to determine in what respects the carefully planned, meticulously conducted case against these seven men was open to challenge.

For this purpose, interested citizens are still searching for loopholes in the prosecution of the defendants. The fact that Circuit Court Judge Kenneth C. Whittle made an especial effort to guarantee fairness in his court during the trials of these men seems to eliminate one loophole. Not even the most partisan local observer has charged that Judge Whittle overtly violated the rights of the defendants. As far as the court was concerned, they all agree that the trials were marked by fair procedures and they have been forced to look elsewhere for errors on which appeal can be based.

• • •

THERE IS considerably less local confidence in the fairness of the verdicts reached by Martinsville jurors and generally in the resourcefulness and vigor of the court-appointed defense attorneys, most of whom solicited defense funds, ranging from $60 to $150, from the parents to supplement the $25 fee paid by the court.

The first five defendants got separate trials while the last two were tried jointly. All were represented by local white attorneys. It is generally conceded that the most vigorous defense was put up by W. I. Joyce of nearby Stuart, Va., in the defense of Francis DeSales Grayson, 37, father of five children. Mr. Joyce, an experienced criminal lawyer, constantly objected during this trial, noted several errors on which appeal might be made, and made every possible motion in the interest of his client.

The defense efforts of Steve Martin Jr., in behalf of Howard Lee Hairston, 19, and W. F. Carter, in behalf of Frank Hairston Jr., 19 are considered to have been fairly sincere and thorough. There is considerable doubt in the minds of local colored people that the other four defendants were adequately represented.

The Courier

SHARING DEATH cells in the State penitentiary in Richmond with Grayson, Frank Hairston, and Howard Hairston, are four others: Joe Henry Hampton, 20; Booker T. Millner, 19; John Clabon Taylor, 20, and James Luther Hairston, 20. Unless appeals are taken or executive clemency is offered by Gov. William Tuck, the lives of four of these men, Hampton, Millner, Frank and Howard Hairston, will be taken in the State electric chair, July 15, while the other three, Grayson, Taylor and James Hairston will die July 22.

Desperate hope, scant as it seems, derives from the opinion that the penalties exacted were excessive and would not be sustained, at least in all of the cases, because of substantial evidence that all of the men were not guilty in the same degree.

Not the least of the factors which give some encouragement to those interested in winning lighter sentences for the men are the remarks of Judge Whittle at the time the men were formally sentenced. Judge Whittle, who under Virginia law is required to impose the sentences recommended by the jury unless he feels compelled to overrule the jury and set aside the guilty verdict, pointed out that he was setting the execution date well past the sixty-day limit in which appeal procedures can be started and invited the defendants "to exhaust all the legal weapons at their command." He added that if mistakes had been made, he prayed they would be corrected.

Pittsburgh Pa.

AS SEEN BY competent NAACP legal investigators as well as by this reporter, the following factors are the ones on which such appeals action can be based:

1. Court refusal to grant a motion for change of venue. When the motion was first offered, before any of the trials began, Judge Whittle heard exhaustive testimony from local citizens, including several Negroes, and the majority of these witnesses testified that a fair and impartial trial could be held in Martinsville. (Negroes who reflected this view are regarded here as being "safe" Negroes carefully picked. A few insisted that a fair trial was not possible [illegible] the emotional atmosphere [illegible] that time.)

However, many local observers, including white lawyers in Martinsville, became convinced, following the first two death verdicts, that a dangerous pattern had been set and that subsequent trials should have been removed to other communities.

2. In several cases, "attempted rape" was the only verdict supported by even the flimsy evidence introduced. Yet, the juries disregarded court instructions to this effect and found all defendants guilty of rape. (The extreme penalty is possible in attempted rape, but there is doubt that the evidence would support the "rape" finding in some of these cases and this is being considered as an error requiring appellate review.)

Sat. 5-14-49

3. One of the defendants charged he was slapped twice by State Trooper Barnes while the latter was trying to get a confession. Another charged that promises and threats were made in abstracting confessions. Others allege that they were not permitted to read the confessions they were asked to sign and that their words were changed without their consent. (They admit that they were properly instructed as to their rights by the State police officer.)

4. Lack of adequate cross-examination of the complaining witness, Mrs. Floyd, on the part of the part of defense attorneys. Some observers here believe that insufficient attention was paid by most of the defense lawyers to the credibility of the complainant's testimony. (There are conflicting views here regarding the character of the plaintiff, but efforts to find evidence to discredit either her testimony or her character have so far been unrewarding.)

5. The question of Mrs. Floyd's identification of the defendants as the men who raped her is also being carefully studied. Since the alleged attack took place after dark in a remote, wooded and absolutely unlighted area, there appear to be discrepancies in the identification procedure. Mrs. Floyd never identified the defendants in a line-up. At the time she identified each during the trial, there were no other possible Negro suspects present in the court room.

Not available for the use of NAACP attorneys in this case are two of the factors on which they usually rely in cases of this kind: systematic jury exclusion of Negroes from jury panels, and prolonged detention without counsel in an effort to force confessions.

With respect to jury panels, the court made a special effort to make equitable jury calls for both grand and trial juries. Three Negroes, George Foster, Levi Hairston and Peter Anglin, actually sat on the seven-man grand jury which returned indictments of these defendants. Sat 5-14-49

An exact population ratio was maintained in trial jury panels. When trial juries were selected however, several Negroes disqualified themselves, others were struck for cause, and the rest were invariably eliminated via the prosecution's four preemptory challenges.

By their own admission, the defendants were not detained excessively long before they signed confessions. Most did so within twelve hours following arrest.

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ATTEMPTS TO SHAKE the testimony of one of the most damaging witnesses to the alleged rape attack, 11-year-old Charles Martin Jr., have not succeeded. Charges that he was prompted every day by the prosecution have been made, but to far Young Martin, who accompanied the plaintiff into the isolated hollow on the night of the attack, sticks to the story that he was chased away by the defendants and offered a bribe to leave the woman in their hands.

Martin A. Martin, Richmond NAACP attorney, last Friday interviewed the seven convicted men in the State penitentiary in Richmond, while Jerry L. Williams, Danville NAACP attorney; William Muse, Martinsville NAACP leader, and William Alexander, Martinsville lawyer probed the case on the scene.

At a conference this week, a final NAACP decision on the methods by which to proceed in trying to save the lives of these young men is expected to be

MERIDIAN, Miss. — Attorney James A. Burns refutes the Courier's statement last week that "... is no previous single case here as many as five persons been condemned to die" is the State of Virginia. Attorney Burns contends that in the early

Counsel artist's sketches of seven Virginia [illegible] July for the rape of a white woman. Top, left to right: Clabon Taylor, Frank Hairston Jr., Joe Henry Hampton and James Hairston. Bottom, left to right: Booker T. Millner, Francis Grayson and J. L. Hairston. Martinsville (Va.) citizens are seeking to save the lives of these men.

Appeal Filed In The Martinsville Case

A PETITION for a review of the convictions of the seven men of Martinsville who have been condemned to die on charges of rape has been filed with the Virginia Supreme Court of Appeals by counsel for the Virginia Conference of the National Association for the Advancement of Colored People.

What action the court will take upon the plea cannot be predicted, but in view of the allegations of error set forth in the petition, the elements of justice required that it be filed.

Counsel for the petitioners contend that the lower court erred in the following manner:

By the failure to grant the request of the defense for a change of venue or a change of venire, thereby depriving the defendant of fair and impartial trials.

By holding the trials on "practically successive days," therein denying the accused group due process of law.

By asking prospective jurors questions objectionable to the defense, thus prejudicing the men's trials.

By admitting alleged confessions into the evidence, thereby denying the defendants due process of law.

These basic allegations appear to be of sufficient weight to give rise to a question as to the impartiality of the trials—a question which most certainly should at first be subjected to the state's highest judicial opinion before an attempt is made to carry out the death sentences.

Moreover, in the event their convictions should be affirmed, there are other factors which merit consideration in the ultimate disposition of their cases. These include the fact that six of the seven are under legal age, or at least they were when sentenced. Obviously, all of them are mostly the products of the maladjustments of our social order. They are typical examples of the sociological offshoots of environmental disadvantages suffered from birth.

While these factors may not come within the purview of the Supreme Court, which concerns itself mainly with the conduct of the lower courts, encompassing as they do ignorance and economic disabilities, conceivably they could have affected adversely the outcome of the men's trials.

Numerous Errors Of Law Charged Circuit Unit

STAUNTON, Va. — (NNPA) — Execution of seven Martinsville youths, convicted of the rape of a white woman, was automatically postponed this week when the Virginia Supreme Court of Appeals agreed to review their conviction.

Governor William M. Tuck had granted the man two 30-day stays of execution to permit counsel to appeal to the appellate court, which announced last Tuesday its decision to review the case. Four of the men were to die September 16 and the other three on September 23.

Six petitions filed by Martin A. Martin, Richmond attorney, on August 26 in behalf of the seven men were taken advisement overnight by the court. In the petitions Martin asked for the review on the ground that the Martinsville Circuit Court had made "numerous errors of law' in the trial of the cases.

Two of the men were tried jointly and the others seperately. After their conviction, the National Association for the Advancement of Colored People decided to prosecute the appeals in behalf of the condemned men. They were convicted of the alleged rape of Mrs. Ruby Floyd, a white woman of Martinsville.

UNFAIR TRIALS CHARGED

The NAACP contends that the defendants, represented by court-appointed lawyers were not given fair trials and that investigation reveals that the youths were beaten and forced to sign confessions to save themselves from mob violence.

Parents of the boys charge that defense counsel advised them "not to say anything" about the methods used to obtain confessions from the youths.

Allegations made in the petitions for review of the men's convictions included:

That the lower court should have granted the defense's pleas for change of venue (place) or change or venire (drawing a jury from another jurisdiction) on grounds that a failure to do so deprived them of a fair and impartial trial.

That by holding the trials on "practically successive days" the court deny them due process of law.

COURT PREJUDICE?

That by asking prospective jurors a question objectionable to the defense the court prejudiced their trials.

That by admitting alleged confessions into evidence, the court denied due process.

Changes of venue and of venire had been asked on grounds it was not possible to get an unbiased jury in Martinsville because of community feeling and newspaper stories dealing with the crime, the arrests and reported confessions.

The seven youths are being represented in their appeals by Attorneys Oliver W. Hill and Spottswood W. Robinson, III of Richmond.

Virginia Rape Case Appeals To Be Heard In January

By the Associated Press

RICHMOND, Va., Nov. 17.—Appeals for seven men found guilty of raping a woman in Martinsville probably will be heard by the Virginia Supreme Court at its January term.

If the court follows its customary procedure, opinions in the cases will be returned during the February-March term.

The men, all colored, were sentenced to be electrocuted but execution was stayed automatically in September when the court agreed to review the cases.

The seven are Joe Henry Hampton, Frank Hairston, jr., Howard Hairston, Booker T. Millner, James Luther Hairston, John Clabon Taylor and Francis De Sales Grayson.

7899

Won't Be Connected With "Subversive" Unit

Daily World. Atlanta, Ga. 27e(2)

RICHMOND, [redacted] (NNPA)—Neither the National Association for the Advancement of Colored People nor his law firm will be associated with the Civil Rights Congress in the prosecution of an appeal in behalf of seven colored Martinsville (Virginia) men now under sentence of death for the alleged rape of a white woman, Martin A. Martin declared last Monday.

Sat. 6-18-49

"Our firm and the NAACP cannot at this time be associated in any way with any organization which has been declared subversive by the United States Attorney General," said Mr. Martin, who is vice chairman of the NAACP legal committee in Virginia.

The Civil Rights Congress has been listed as a Communist-front organization by Attorney General Tom Clark.

Mr. Martin's statement followed an announcement Sunday, June 12, by William L. Patterson, executive secretary of the Civil Rights Congress, that his organization would organize a legal staff to seek a new trial for one of the convicted men.

Mr. Martin said his firm of Hill, Martin and Robinson had been retained "several weeks ago" by each of the seven defendants, including Francis DeSale Grayson, 37, on whose behalf Patterson said he will file an appeal with the Virginia Supreme Court of Appeals "as soon as the Martinsville court has certified the record."

SEEK EXECUTION STAY

Mr. Martin said he is going ahead with plans to ask Governor William M. Tuck for a stay of execution and to prepare a writ of error for presentation to the Virginia Supreme Court of Appeals on behalf of all seven defendants.

If Patterson or the Civil Rights Congress enter the case, however, [illegible] the NAACP will withdraw, Mr. Martin said. His firm will continue to represent the other six so long as the Civil Rights Congress does not enter into their defense.

27e(2)

Mr. Patterson said he had been retained personally by Grayson and that, in addition, the "full weight" of the Civil Rights Congress would be thrown behind the defense.

The appeal to the Supreme Court for Grayson will be so phrased as to be of maximum benefit to the other six defendants in the case, Patterson said. 6-18-49

Grayson, the only married man of the seven, has been sentenced to the electric chair on July 22, along with James Luther Hariston and John Claben Taylor. Four others, Frank Hairston, Jr., Joe Henry Hampton, Howard Lee Hariston and Booker T. Millner, are sentenced to die July 15.

CONVINCED OF INNOCENE

Patterson said he would ask O. John Rogge, former Assistant United States Attorney General to head the array of defense counsel he is organizing.

"I am convinced that Grayson is innocent," Patterson said.

With the other defendants, Grayson was convicted in Martinsville in April of raping a 32-year old woman as she returned from a colored section after collecting some money for clothing she had sold.

"I cannot believe that the conviction and sentencing of seven men in eight days constitutes a fair trial as guaranteed under the Constitution," Patterson said.

The announcement came at a mixed white and colored meeting Sunday, June 12, at the A. D. Price Funeral Home to protest the Martinsville convictions and the fatal shooting of a Chase City colored man, Robert A. Bradby, by an ABC investigator, in March. Frank M. Wood, the investigator, was cleared by a Roxbury court of any charges in connection with the shooting, which he testified was accidental.

Grayson's wife and the widow of Bradby addressed the meeting of about forty persons, approximately 25 per cent of them white.

LABELLED "TERROR"

As the principal speaker, Patterson labelled the Chase City and Martinsville cases examples of "terror in white America."

He urged men and women of both races to band together and "fight for your rights."

After Patterson's talk, the meeting unanimously passed resolutions urging:

1. That Governor Tuck see to it that Wood be brought to trial for murder.

2. That Bradby's widow and three children receive indemnity from the State of Virginia.

3. That the Martinsville seven be granted a new trial.

4. That those present "do everything possible" to bring full freedom for the Martinsville seven.

SIGNATURE CAMPAIGN

Following a suggestion by Louis Kalb, local representative of the Civil Rights Congress, the group endorsed a campaign for 15,000 signatures on petitions asking a new trial in the Martinsville case.

Petitions bearing approximately 500 names were presented to the group by the Rev. Joseph Arrington. Petitions have been in circulation here through churches and other groups for several days, Mr. Arrington said.

27e(2)

Also present were members of the Communist party, who presented Mrs. Bradby with $10, members of the CIO United Leather Workers' Local No. 370 who gave her $25, and representatives of the CIO Tobacco and Agricultural Workers and the NAACP.

Convict Men On Charge Of Woman

Chicago Defender 27e(2) Chicago, Ill.

MARTINSVILLE, Va.—Attorneys at the na[redacted] office of the National Association for the Advancement of Colored People in New York this week were studying the record of the trial here in which seven men and boys were convicted and sentenced to death, charged with the gang-rape of Ruby Stroud, 40-year-old Virginia white housewife.

Sat. 5-14-49

Attorneys for the boys and the local branch of the NAACP are seeking assistance of the legal staff of the national board to perfect an appeal on grounds that the men were convicted on confessions secured by the police by subterfuge and threat.

The condemned men pleaded innocent at their trials, and charged that the confessions which were read into the court record were obtained by promises of the police that they "would try to help them out." Sat. 5-14-49

The seven convicted men are Frank Hairston, Joe Henry Hampton, Booker T. Millnerr, all 20 years of age; James Luther Hairston, Claibon Taylor, 19; Howard Lee Hairston, 18, and Francis Grayson, 37.

According to the charge of Mrs. Stroud, wife of a Martinsville merchant, the seven men "raped her 12 or 14 times" on the night of Jan. 8, 1949 on a railroad track near the Negro section of East Martinsville.

No evidence was presented during the trial to explain why the woman happened to be walking in a section so far from her home.

During the trial, two of the younger boys denied that they had any relations with the woman. James Hairston admitted that he had had relations with the woman, but denied that he had used any force, or that the woman had complained or resisted. This testimony was supported by two of the other men during their separate trials in the case.

Sat. 5-14-49

It was brought out at the trials that none of the condemned men had any police record, or had ever been in trouble before.

Efforts to introduce testimony concerning the character and reputation of the woman were blocked at all of the trials.

Doomed to Death on Attack Charge

Six Others Face Trial in Same Case in Va.

Afro-American 27e(2) Baltimore, Md. 4-30-49

MARTINSVILLE, Va.—Frank Hairston Jr., second [redacted] men indicted by the Commonwealth on the same charge, went on trial here Friday in Martinsville Circuit Court on a charge of criminally assaulting a 52-year-old woman.

The day before the jury found Joe H. Hampton, first defendant in the case, guilty of the charge and fixed his sentence at death in the electric chair. Judge Kennon C. Whittle announced that Hampton's sentence would not take place until all of the defendants had been tried.

The jury deliberated only 30 minutes in Hampton's case. Hampton, like the other defendants, pleaded innocent of the charge. Taking he stand in his own defense, Hampton said that he was drunk on he night of Jan. 8 and could not say whether he did or did not attack the woman.

Repudiates Confession

On cross-examination, Hampton also repudiated a confession Sergeant I. H. Barnes said he had made. The white woman testified that she was first seized by Hampton, thrown beside a railroad track and attacked by him, then attacked by others who were with him.

27e(2)

Other defendants, who will be tried individually, are Booker T. Millner, Howard L. Hariston, John Clabon Taylor, Francis Desales Grayson and James Luther Hairston. [illegible] to have the [illegible]

Third Man Gets Chair for Rape

27e(2)

Martinsville, Va., April 26 (AP).—The third consecutive death sentence [illegible] "was brought in by a Circuit Court jury this afternoon [illegible]

Booker T. Millner, third of seven men being tried separately under indictments for rape, was found guilty and his penalty fixed as the electric chair.

Previously juries had convicted Joe Henry Hampton and Frank Hairston, Jr. for participation in the same assault and set their punishment at death in the electric chair.

27e(2)

The jury received the Millner case at 3:30 and deliberated an hour and 45 minutes before returning the verdict.

Millner, testifying in his own defense, denied an actual assault of Mrs. Ruby Stroud Floyd, although he admitted from the witness stand that he started to attack her but when she pleaded with him not to do so he left the scene of the crime.

Previously Mrs. Floyd had identified Millner as one of those who twice assaulter her on the evening of January 8. Wed. 4-27-49

7 To Die For Attack On Woman

27e(2)

MARTINSVILLE, Va.—Seven Negroes [redacted] guilty of the criminal assa[redacted] Mrs. Ruby Stroud Floyd, 32-year-old Martinsville housewife, yesterday were sentenced to die in the electric chair. Wed. 5-4-49

In pronouncing the sentences, Judge Kennon C. Whittle, of Martinsville Circuit Court, set July 15 as the date Joe Henry Hampton, Frank Hairston, Jr., Booker T. Millner, and Howard Lee Hairston are to die.

They were the first four men found guilty of assaulting Mrs. Floyd, wife of a department store manager, on the night of Jan. 8 in East Martinsville.

Francis Desales Grayson, James Luther Hairston, and John Clabon Taylor, the other defendants, were sentenced to be electrocuted on July 22. Wed. 5-4-49

[redacted]rs. Floyd appeared in court [redacted] identify each of the men who [redacted] said attacked her "twelve to [redacted]teen times" in the Negro section of East Martinsville.

Fifth Defendant Guilty of Rape, Death Is Urged

Martinsville, Va., April 28 (AP).—Francis DeSales Grayson, 37-year-old Negro, was convicted of rape by a jury in Circuit Court here today [illegible] death penalty [illegible] him.

Grayson is married and the father of five children ranging from [illegible] to 8 years of age. He is the only [illegible] of the seven Negroes indicted for the assault on Mrs. Ruby Stroud Floyd, a white woman, on January 8.

Separate trials were granted each of the defendants on motion of their counsel last week. Grayson's trial was the fifth case to be heard and the fifth in which the defendant has been found guilty after a day's trial with the jury fixed by [illegible]

SEVEN FOUND GUILTY OF RAPE WILL DIE

(The Associated Press) Martinsville, Va., May 3—Death in the electric chair had been decreed Tuesday for seven Negro men found guilty of raping a white Martinsville housewife five months ago.

The last two of the seven defendants, James Luther Hairston, 20, and John Clabon Taylor, 19, were convicted Monday night by a Martinsville circuit court jury. Hairston and Taylor were tried jointly [illegible] their own [illegible] their conviction [illegible] attorneys [illegible]

[illegible] death. Remaining to be tried are James Luther Hairston, who will go on trial Monday, and John Clabon Taylor.

maxed the series of almost identical cases which opened April 18 after a motion for change of venue had been denied by Judge Kennon C. Whittle. 5-4-49

Rape Jury Returns 2d Death Verdict

Martinsville, Va., April 22 (AP)—A jury in the Circuit Court of Martinsville returned the second death penalty verdict in two days here tonight when it found Frank Hairston, jr., guilty of rape and fixed his penalty at death in the electric chair. Sat. 4-23-49

Hairston is the second of seven Negroes being tried separately for the rape of a white woman on January 8.

Judge Kennon C. Whittle overruled a motion to set aside the verdict as contrary to the law and evidence. He did not immediately sentence Hairston, saying that such action would await the completion of the other trials.

Jury Poll Demanded

William F. Carter, court-appointed counsel for Hairston, demanded and obtained a poll of the jury on its verdict. It had required one hour and 35 minutes deliberation to reach the decision.

Throughout the day the jury heard testimony, followed later this afternoon by an hour of closing argument, in which prosecuting attorneys I. W. Cubine and H. N. Joyce asked for the death penalty, while Carter pleaded for the life of his client on the ground of youth and previous good conduct. Hairston is 19. 270(2)

Yesterday the jury convicted Joe Henry Hampton, 19, and fixed his punishment at death. Other defendants in the cases are Booker T. Millner, Howard Lee Hairston, John Clabon Taylor, Francis DeSales Grayson and James Luther Hairston. Millner will be the next of the men to stand trial when court convenes Monday.

All the defendants are charged with raping Mrs. Ruby Stroud Floyd, 32, wife of a Martinsville department store manager.

Both Ask Leniency

Both Hairston and his mother, Bessie Hairston, asked the jury for leniency as they concluded their testimony as witnesses in today's trial. Sat.-4-23-49

As his mother made her plea to the jury, Hairston broke into tears.

Hairston himself told the jury: "I know I was wrong. I have no reason for it except I had been drinking. I am just asking for mercy of the court and jury. Spare me and I will promise I will never get into any trouble again."

Hairston, testifying in his own defense, repudiated much of the content of a confession that the Commonwealth had introduced on direct examination of Sergt. J. H. Barnes of the State police.

Hairston said that although he signed the confession in Martinsville on the morning of January 9 and again when it was read to him at a Stuart, Va., jail on January 12, he did not recall making any of the statements the confession contained.

Jury Selected in Hour

Carter asked the jury members to free their minds of any bias or prejudice that the evidence might develop against the defendant and to give him an impartial trial, as the case got underway this morning.

An hour was required to select a jury for Hairston. Thirty persons were examined. Two negroes were disqualified when they said they had conscientious scruples against returning the death penalty. A third Negro was trieken to leave and all-white jury of 12 men and an alternate to try the case.

Mrs. Floyd took the stand for the second time to tell that she was attacked and ravished by seven men. She identified Frank Hairston, jr., as one of the men she said had attacked her.

Two Va. Cops Guilty Of Raping Negro Woman Get 7 Years

Sat. 5-14-49 (Special to The Pittsburgh Courier)

RICHMOND, Va.—As a sidelight to the Martinsville trials in which seven Negroes were sentenced to die for raping a white woman, two white Richmond policemen are serving seven-year penitentiary terms for raping a Negro woman.

Carl R. Burleson, now 30, a patrolman, and Leonard E. Davis, now 40, an auxiliary policeman, were convicted by a jury in Hustings Court here Jan. 17, 1947, and the jury fixed the punishment for each at seven years in the penitentiary.

The woman who said she was raped by Burleson and Davis was a 32-year-old waitress, mother of two children. She said she left a party with a Negro man, but when he drove in the opposite direction from her home, she protested, with the result that the two policemen showed up in a police car and asked questions. Sat. 5-14-49

At the invitation of Burleson and Davis, she said, she got into the police car after they had said they would drive her home. Instead, she said, they continued to drive in the opposite direction until they reached a housing development under construction in North Richmond.

There, she said, the policemen stopped the car and raped her. That was the night of Oct. 20, 1946, she said. 270(2)

Burleson and Davis were released when bail was posted and they were scheduled to appear before Judge John L. Ingram Feb. 21, 1947, for commitment to the penitentiary. Sat. 5-14-49

Burleson "jumped bail" and was later apprehended in Honolulu. Returned to Richmond, he started serving his sentence Feb. 5, 1948.

While police were looking for Burleson, Davis appealed his case to the Virginia Supreme Court of Appeals, but lost. On June 4, 1947, Judge Ingram ordered Davis to start serving his term.

Five Face Similar Fate

MARTINSVILLE, Va.—Two young men convicted of rape have already been started on their way to death in the electric chair. A third who went on trial Monday will probably join them. Four more and there are four others awaiting their day in court who face the same fate. 270(2)

The seven are accused of raping Mrs. Floyd Stroud, wife of a local merchant as she walked near the railroad track the night of January 8. The defendant who went to trial before Judge Kennon C. Whittle and a jury in Circuit Court, Monday was Booker T. Millner, 19, and Frank Hairston Jr., also 19. Others to be tried are Lee Howard Hairston, John Clayton Taylor, Francis DeSales Grayson and James Luther Hairston. They will be tried one at a time.

HAMPTON TRIED 270(2)

Hampton was tried and convicted Thursday. His penalty was fixed at death in the electric chair. Hairston went on trial Friday. He was convicted and a sentence of execution fixed. Sat.-4-30-49

Hampton, who took the stand in his own defense, said he was so drunk on the night of the alleged raping that he could not say whether he did or did not attack Mrs. Stroud. On cross-examination, he repudiated a confession which Sergeant J. H. Barnes of the State Police said he had made.

VICTIM TESTIFIES

Mrs. Floyd testified that she was first seized by Hampton, thrown beside a railroad track and attacked by him. She said she was then attacked by others who were with him.

Later, she said, she was taken about 125 feet into the woods where she was assaulted by three other men. In all, Mrs. Floyd said, she was attacked 12 or 14 times before she was permitted to leave the scene.

Previously Sgt. J. H. Barnes, of the Virginia State Police, had introduced a written confession signed by Hampton shortly after he was apprehended and placed in the Stuart jail.

On cross examination by Commonwealth's Attorney I. W. Cubine, Hampton, repudiated the confession, saying he signed only what was put before him and did not read it. He said his companions told the story of what happened and when he was asked to sign a statement he simply did so without knowledge of what he was signing.

Hampton received the verdict without flinching. He was not sentenced by the judge, who said formal sentence would be passed at the conclusion of the trial of all the men.

27e(2) 1949

7900

Martinsville's Death-Dealing Court

By Mel Fiske

MARTINSVILLE, Va., May 31.—For four months this town of 18,000 seethed with lynch hysteria against the seven Negro men who were being held for trial on frame-up charges of raping Mrs. Ruby Floyd, a 32-year old white woman.

In the furniture factories, the huge duPont nylon plant, in the lumber yards, in every home and store, around the courthouse square, the impending trial was discussed heatedly.

In this atmosphere, the police and political authorities carefully set the stage for their legal lynchings.

First, the police wrung "confessions" from the seven men. One of the men later told his mother that the police threatened to "turn them loose in a mob" if they didn't sign.

Second, Circuit Court Judge Kennon C. Whittle appointed seven attorneys for the seven accused men. Two Roanoke lawyers retained by the parents of one of the boys returned their fees after talking to some of the seven court-appointed attorneys.

DENIES VENUE CHANGE

Third, when the trials began in later April, Judge Whittle denied the plea of the defense that the trials be moved to another county. "There has been no mass feelings against these defendants," he said. Then he admitted that "it is extremely difficult to secure jurors who have not expressed an opinion in the matter."

The jurors were selected, when the first trial began on April 21, from men who were the so-called "leaders" in Martinsville. Dudley H. Robertson, clerk in the Virginia Mirror Co.; E. H. Draper, barber shop owner; A. J. Fischer, Jr., lumber company clerk; Ralph Seidle, manager of a truck and body company; Percy Compton, manager of an auto parts company; James A. Dawson, foreman in the American Furniture Co. plant; C. D. Willis, foreman in a motor sales company, Watt W. Clingenpiel, a duPont employee and so on down the line.

Two Negroes on that jury panel were stricken off by the commonwealth attorney.

A small crowd gathered around the courthouse square as the trial of Joe Henry Hampton, a 20-year old youth, opened that April 21. Inside the high ceilinged, murky courtroom on the second floor of the old courthouse, Patrick Henry and Robert E. Lee stared at each other out of their framed pictures at opposite ends of the long room. Judge Whittle sat beneath the picture of Lee, rocking himself on an old, leathercovered swivel chair, looking out over the empty pews and at the police standing guard before the locked doors.

Commonwealth attorney Irvine W. Cubine sat with two of Henry County's top criminal lawyers, W. R. Broaddus and Hannibal N. Joyce, who had been appointed to assist him in prosecuting the seven.

On the other side of the table sat Hampton and his attorney, Joseph H. Whitehead of Chatham, Va., a former prosecuting attorney himself.

The police officers who had investigated the scene of the alleged attack and rounded up the seven on Jan. 8 were placed on the stand first by Cubine. Hampton's forced confession was read into the record.

LITTLE CROSS-EXAMINATION

Hampton's attorney asked perfunctory questions of the prosecution's witnesses. He asked State Police Sergeant J. H. Barnes a few questions about the "confession."

Then Mrs. Floyd was led to the stand. The 12-man white jury straightened up in hard chairs as the woman began answering questions. "Would she identify one of the men who attacked her?" Yes she would. He was sitting right there, she said, pointing to Hampton at the table in front of her, the only Negro in the room.

The prosecuting attorney summed up. He asked for the full death penalty. This is the worst crime in the history of the county, he roared. Defense Attorney Whitehead made a perfunctory plea for the life of Hampton.

The jury was out a little over an hour. Guilty of rape, punishable by death, was their verdict. They stared at Hampton cruelly.

ANOTHER PANEL

Next day another jury panel came into the courtroom for the trial of Frank Hairston, Jr., 19. The prosecutor exercised his privilege of peremptory challenge and barred Negroes from sitting on the jury. Twelve white men were finally selected.

The jury decreed death.

Monday, April 25, the third trial was postponed and resumed the next day with Booker T. Millner as the victim. Again he was the only Negro in the courtroom so Mrs. Floyd had no trouble "identifying" him.

The jury found Millner guilty of rape, and ordered death.

Howard Lee Hairston, a youth of 19, was next. He wasn't even called to the stand in his own defense. His aunt, Mrs. Irene Hodge, who had raised him and his brother, James Luther, said his speech had an impediment and he could not be easily understood. Police Sgt. J. H. Barnes said he had no difficulty understanding Hairston and read the "confession" that he said had been made by the youth. The "confession" revealed that Hairston said he was physically unable to have any relationship with the woman. Death, the jury ordered.

The 37-year-old father of five children, Francis DeSales Grayson, came before another all-white jury the next day. Mrs. Floyd said she was certain Grayson was the last man to "attack her," describing him a "heavy, stout man." Grayson, short and slight, weighing no more than 145 pounds, wasn't placed on the stand to refute her identification or testimony. His attorney, W. L. Joyce, a former prosecuting attorney, denied that Grayson had attacked Mrs. Floyd and pointed to the "confession" wrung from him by police. The confession maintained that denial.

Death, the jury declared.

Three days later, the last two men were tried jointly. They were John Clabon Taylor and James Luther Hairston, both 20. Taylor's attorney, ex-state Sen. Frank Burton, didn't place him on the stand.

The all-white jury was out for an hour and a half. Death for both, it directed.

Death had been "turned out just like they make furniture around here," a prominent Martinsville Negro observed.

[redacted] NAACP ENTERS MARTINSVILLE CONVICTION CASE

RICHMOND, Va. — Announcement that the Virginia State Conference of the National Association for the Advancement of Colored People would actively enter the Martinsville Rape Case was made public Monday following a Special meeting of the Conference officials. This is the case on which seven (7) Negroes were convicted of the rape of a white woman in Martinsville, Virginia. All seven (7) were sentenced to die in the electric chair. All seven tried, convicted and sentenced within eight days. The decision to enter the case came only after intensive investigations indicated that the seven doomed men had not received a fair trial. NAACP officials stressed that the "guilt" or "innocence" of the persons involved was not the point in question and is by no means the reason why the NAACP has entered into the case. The paramount concern of the NAACP in this and similar cases is to assure to every American a fair and impartial trial and to see that justice is meted out to the guilty as well as that the innocent are protected in their rights; without regard to the racial identity of the characters involved. Further, it becomes our solemn duty and obligation to expose and focus attention on a society that by its customs, practices, policies and traditions makes possible the whole unfortunate Martinsville affair."

A general appeal for funds to finance the legal actions is being made by the Virginia State Conference of the NAACP. All contributions should be made to the Virginia State Conference—NAACP, in care of the executive secretary, whose address is 404½ North Second Street. Contributions regardless of the amount will be highly appreciated and promptly acknowledged.

Youth, 18, Given Life For Slaying Brother

Fredericksburg, Va., March 2 (AP)

Eighteen-year-old Gordon Lee Allen has been sentenced to life imprisonment for the hammer and ax slaying of his 11-year-old brother and the attempted rape of his 12-year-old [redacted] and pleaded guilty.

The youth was sentenced in Caroline Circuit Court here yesterday by Judge Leon M. Bazile, who had withheld sentence in Allen's case pending the report of a probation officer.

Probation Officer Alfred W. Turner made his report yesterday. In it he said Allen was of part Negro descent. He said Allen had lived with white families until he was 14 and believed he was white until that time.

RELEASED PRISONER THREATENED

CHICAGO — (NNPA) — A letter threatening the life of James Montgomery, 56, who was released from Stateville penitentiary August 10 after serving 26 years on a life sentence of rape, and that of his attorney, Luis Kutner, was received Saturday August 13, by Montgomery's wife, Kutner disclosed [illegible] Monday.

Montgomery was released after Judge Michael L. Igoe in federal District court here, called his trial in Waukegan "a sham" and said Montgomery was convicted of raping Miss Mamie Snow, 62, an itinerant shoestring peddler, because the then state's attorney suppressed evidence. An appeal is planned by the state against Judge Igoe's verdict.

Kutner said the letter was written in longhand with a pen on blue lined stationery, apparently torn from a tablet. It was enclosed in a plain white envelope postmarked from Chicago on August 12. It was addressed to Mrs. Sentoria Montgomery, 533 Market Street, Waukegan. Kutner said he would turn it over to the federal bureau of investigation.

NAACP Attorneys Begin Groveland, Florida Trial

Orlando Sun. 9-9-49
Nashville Banner 27e(2)

Lawyers Meet Unexpected Handicaps in Rulings Of Presiding Judge Who Finds No Fault With "Inflamatory Newspapers" Accused of Hurting Chance For Fair Verdict

Tavares, Florida, Sept. 1—The business of selecting a jury for the trial of the three Groveland youths accused of rape began in Lake County Circuit Court here at ten o'clock this morning, and by court adjournment time today the National Association for the Advancement of Colored People had exhausted ten of its thirty peremptory challenges of prospective jurors, and in addition had challenged four other jurors for cause.

Alex Akerman, Jr., of Orlando, Horace Hill of Daytona Beach, and Assistant Special Counsel Franklin W. Williams of the national office legal staff of the NAACP, attorneys for the defense, filed this morning a challenge to the panel on the grounds that jury commissioners were choosing prospective jurors from the voters' registration rolls, even though this was not required by law. The NAACP attorneys charged that this selection from registration rolls was done to minimize the number of Negroes that might come up for jury duty, since Negroes constitute only one fifteenth of those registered for voting, whereas they constitute one fourth of the number of residents of the county. Judge T. J. Futch denied the challenge to the panel.

Mr. Williams indicated in a communication to the national office that the trial is expected to continue over the week-end over Labor Day if necessary.

In yesterday's hearings on motions filed by the NAACP, Judge Futch denied a change of venue, stating that he "had subscribed to the Lake County newspapers for years" and could find in these papers nothing of an inflammatory nature that would tend to interfere with the conduct of an impartial trial. Judge Futch also refused to grant a motion for continuance, which would have allowed NAACP attorneys further time for preparation of the defense and during the hearings refused reasonable adjournment to allow the lawyers to prepare for the trial during the evenings.

In addition to denying all motions filed by defense attorneys, Judge Futch prevented Samuel Shepherd, Walter Lee Irvin and Charles Greenlee, the defendants, from testifying concerning the alleged beatings to which they were subjected at the time of their arrest, and refused to allow Dr. Nelson W. V. Spotswood, Jacksonville physician who examined the prisoners at the request of NAACP, to testify as to their physical condition.

27e(2)

The State of Florida called as witnesses during the hearings on the motions several substantial citizens of the community, including the president of the Leesburg National Bank, to testify that no widespread violence took place in the Groveland area and that there was no reason why a fair and impartial trial could not be held in Lake County. NAACP investigation had revealed that during a week of home burning and other destruction, four hundred Negroes were forced to flee from their homes.

The NAACP announced this week that a sum of more than $1200 has been received in contributions toward the Groveland case of which $850 has been contributed by branches of the Association and the remainder by individuals and outside organizations. In addition, a welfare committee to provide food and clothing for the families of the prisoners and for other victims of the Groveland violence has been set up by John P. Ellis, president of the Orlando branch of the NAACP.

aper of Negro / oman Executed

8-29-49
27e(2)

REIDSVILLE — The State of orgia's electric chair last Friday cla[illegible]ecute of Andrew Dorsey, 24, who was convicted in Fulton Superior Court for raping a young Negro woman [illegible] 12-year-old Negro girl.

It was probably the first such Georgia execution of a Negro for rape of a Negro, officials speculated.

Dorsey was first convicted in 1941, but through a succession of appeals had managed to stay out of the electric chair.

7907

Anti-Lynching Bill Is Passed in Texas

The Washington Post

Austin, Tex., July 5 (U.P.)—Legislation outlawing lynching cleared the Texas Legislature today and was sent to Gov. Beauford Jester for his signature.

Senate approval of the anti-lynch law was by voice vote. The House passed the measure last March by a vote of 125-10.

The bill provides that all members of a lynch mob involved in a killing would be subject to one of three penalties:

Death, life imprisonment or imprisonment for not less than five years. If the victim does not die, the participants would be subject to 1 to 10 years in the penitentiary.

President Truman is "disturbed" by Russia's exploitation of racial differences in this country, Secretary Walter White of the National Association for the Advancement of Colored People, reported yesterday. Washington DC

White conferred with Mr. Truman before leaving on a tour of 12 world capitals where he will participate as a member of a traveling panel in the "Town Meeting of the Air" radio program which will be broadcast internationally.

He said he and the President discussed the way Russia is playing up civil rights, filibusters and lynchings in an attempt to turn the peoples of Asia and India against the United States. Wash. 7-7-49

Mr. Truman is "disturbed" by the development, White said, but is "tremendously encouraged by the progress that is being made."

As Between State and Federal Anti-Lynching Action

The Isaacks Anti-lynching Bill, endorsed by Governor Jester, should be approved by the Texas Senate as it was recently by the House. It is a necessary law, with the single major flaw that it comes some 30 years late.

Governor Jester pointed out that Texas has suffered but one lynching since 1935, but this State's earlier record is far from clean. According to reliable Tuskegee Institute statistics, during the 1882-1946 period Texas accounted for 489 of the Nation's 4,716 lynchings, trailing only Mississippi and Georgia in that shame. San Antonio Express

A particularly bad outbreak in Texas flared during the 1920-22 period, when this State's 35 lynchings exceeded those of even those two chronic Deep South offenders. That was part of the World War I wave of such lawlessness that stirred the demand for a Federal anti-lynching law. Austin 3-10-49

The resulting Dyer Bill passed the National House in 1922, but failed in the Senate. San Antonio Express supported that measure, in lieu of any hope for related State legislation or proper State enforcement of existing homicide law. San Antonio

Many Federal anti-lynching bills since have been introduced in Congress, but none has got by the usual Southern Senators' filibuster on the "States' rights" issue, such as that now in progress. Demand for the Federal law remains insistent, however, though but two lynchings were recorded throughout the Nation last year. That is because decent citizens were incensed by State and local inaction in the past.

In 89 per cent of the lynching cases in American history, there have been no arrests, indictments or convictions. Quick and firm State action now may deter that Federal assumption of broader police power; but even so, this issue should teach the States a fundamental lesson.

No matter what the language of the United States Constitution, the States cannot indefinitely reserve to themselves any rights for which they refuse to accept due responsibility, nor should they. That is as true in other fields of public affairs as it is with civil rights.

Texas and Lynching

The Post, New York N.Y.

SOMETHING REALLY must be happening in the South when the Texas Legislature passes an anti-lynching bill providing severe penalties ranging up to death for persons participating in mob action that results in death. Gov. Beauford H. Jester, who urged the Legislature to pass the bill as an emergency measure, will sign (or has, since this editorial was written last Wednesday.—Ed.).

The anti-lynching law provides punishment for two degrees of lynching—one specifying death or imprisonment of not less than five years for persons convicted of taking part in unlawful assembly that results in the death of a person or persons, and the other specifying jail of not less than a year nor more than ten for members of mobs that shoot, cut, stab, maim or wound any person or persons, but that do not kill. The bill defines any act of violence upon any persons that results in death as a lynching. San. 7-16-49

Where the catch in the whole thing appears to be is that the district attorney in the district where the lynching takes place is charged with investigation and prosecution. He is empowered to call upon the attorney-general and other prosecutors designated by the governor for help. The bill grants the governor the right to spend as much money as he thinks is needed to catch lynchers. Those convicted under the act are also subject to the loss of citizenship. San. 7-16-49

Wonderful, we say. All Texas need do now is to get some honest-to-goodness district attorneys, sheriffs, police, deputies, etc., who will go along with the state's program, especially where a lynching involves a Negro. It might be noted that the bill is being publicized at a time when the Ku Klux Klan has gotten completely out of hand in the South and is beating white men and women as ruthlessly as it used to beat Negroes.

Possibly, Gov. Jester is making beforehand provisions to block or deter lynch mobs seeking to destroy the lives of whites. We hope he was motivated by a desire to stop all lynchings, whether of white or Negro. Meanwhile, let's wait and see.

Texas Governor Signs Anti-Lynch Bill

AUSTIN, Tex. (ANP)—An anti-lynching bill, carrying severe penalties for persons taking part in mob action that results in death, was signed into law last week by Gov. Beauford H. Jester. The bill, an emergency measure passed by the legislature at the governor's request, provides punishment for two degrees of lynching. One specifies death or imprisonment of not less than five years for persons convicted of participation in unlawful assembly resulting in the death of a person or persons. The other gives imprisonment for not less than a year or more than 10 for mob members who shoot, cut, maim or wound victims but do not kill them. Any act of violence upon any persons resulting in death is defined as a lynching. The district attorney in the area in which lynching occurs is charged with investigation and prosecution, and is also empowered to seek help from other sources. The governor has the right to spend such amounts as needed to apprehend lynchers. Persons convicted under the act are also subject to civil liability.

Texas Senate Passes Anti-Lynching Bill

Austin, Tex. (UP)—The Texas Senate sent to Gov. Beauford Jester today a bill making lynching punishable by prison or death. The Senate passed the House measure without debate. It defines mob action [illegible] by such mob and resulting in death shall constitute lynching. All persons constituting a mob would be subject to prosecution.

Texas Governor Signs Anti-Lynch Bill

AUSTIN, Tex. (ANP)—An anti-lynching bill, carrying severe penalties for persons taking part in mob action that results in death, was signed into law last week by Gov. Beauford H. Jester. The bill, an emergency measure passed by the legislature at the governor's request, provides punishment for two degrees of lynching. One specifies death or imprisonment of not less than five years for persons convicted of participation in unlawful assembly resulting in the death of a person or persons. The other gives imprisonment for not less than a year or more than 10 for mob members who shoot, cut, maim or wound victims but do not kill them. Any act of violence upon any persons resulting in death is defined as a lynching. The district attorney in the area in which lynching occurs is charged with investigation and prosecution, and is also empowered to seek help from other sources. The governor has the right to spend such amounts as needed to apprehend lynchers. Persons convicted under the act are also subject to civil liability.

Texas Gets Law To Curb Lynchings

AUSTIN, Texas — In response to Governor Beauford Jester's demand for "must" legislature to curb the evils of lynching, the Texas state legislature last week became the first state in the deep South to pass an anti-lynching law.

The law provides for punishment of two degrees of lynching. It specifies the death penalty or imprisonment for not less than five years for persons convicted of participating in an unlawful assembly which results in the death of a lynch victim, and imprisonment of from one to 10 years for persons convicted of wounding or maiming which does not result in the death of the victim.

The new law defines any act of violence upon a person which results in death as a lynching, and provides in addition to imprisonment or death, civil penalties as damage to the families of lynch victims.

Action by the Texas governor and legislature was taken in an effort to head off federal anti-lynching legislation.

27f 2 1949

7909

Senate Approves Anti-Lynching Bill

the Cleveland, Ohio. Sat. 6-11-49

Is First of President's Civil Rights Program to Be Considered By 81st Congress—Has Stiff Penalties

WASHONGTON, June 11—(Special)—The Senate Judiciary Committee, late Monday, approved an anti-lynching bill. It was the first piece of President Truman's "Civil Rights" program to be recommended by a Senate committee this session, and carried the following provisions:

Penalties up to a $10,000 fine and 20-years in prison for conspiring to incite, aid or commit a lynching.

Any offcer, who willfully failed or refused to protect persons against lynching could be fined $5,000 and sent to prison for five years. Cleveland, Ohio

Other proposed federal anti-lynching measures in post sessions, have encountered stiff opposition from southern senators, who called them attempts to invade the rights of the states, and filibusters killed them all.

The House also passed and sent to the Senate a bill t prevent loss of citizenship by certain Hawaiians and Puerto Ricans because of residence in a foreign state for five years. The legislation affects only those persons born before the annexation of Hawaii and Puerto Rica to the United States, and who became UUnited States citizens at the time of annexation sufficiently strong to justify prompt action by Congress." Tue. 6-7-49

Action has not been prompt. But it remains imperative. For while the ultimate remedy for the monstrous evil of lynching must lie in the social consciousness of the local community, there are sound reasons for believing, with the President's Committee, that the enactment of a federal anti-lynching law would set a standard and serve as a deterrant.

such a "strong law."

In throwing his support behind the Celler Bill, the attorney general also hit at the Ferguson Anti-Lynch Bill, a greatly watered down version of which recently was approved by the Senate Judiciary Committee. 6-6-7-49

"It is essential that a lynching bill put the Government in a position to prosecute members of a lynch mob, particularly where there is no element of conspiracy with local officers. These undoubtedly comprise the bulk of the present day cases where the threat of lynching exists. In addition, it is essential that the Government should not be limited to those cases where persons are taken from law enforcement officers with or without the consent of such officers. 28.1

"There have been far too many instances in the past of lynching or the threat of lynching in the case of persons charged with the commission of crime, but who for economic or political reasons have been the subject of lawless mob action because of their race, color, religion or origin. The Government must be in a position to deal with all of these situations," concluded the Attorney General.

The Celler Bill carries penalties ranging from a year to 20 years imprisonment and fines from $1000 to $10,0000 for members of a lynch mob which is defined as two or more persons acting together.

A CIVIL RIGHTS BILL

The Times

A bill to make lynching a federal crime won the approval yesterday of the Senate Judiciary Committee. This is the first civil rights measure to be approved by any committee of the Senate at the present session. The proposed legislation would provide severe penalties for conspiracy to incite, aid or commit a lynching and these penalties would apply also to peace officers who willfully refused or failed to protect persons threatened with mob violence or who willfully refused or failed to make "all reasonable efforts" to bring to justice those who are guilty of such violence. In this respect the new measure follows the recommendations made some months ago by the President's Committee on Civil Rights, headed by Charles E. Wilson. N.Y.

As the President's Committee noted at the time of its report, the constitutionality of some parts of the measure now recommended has been questioned. The Committee was of the opinion, however, "that there are several constitutional bases upon which such a law might be passed and that these are

CLARK ASKS CONGRESS FOR STERN LYNCH LAW

Appeal

Hits Watered Down Bill; Backs Celler Measure

From The Commercial Appeal Washington Bureau

WASHINGTON, June 16.—Passage of a strong anti-lynch law to meet an "intolerable situation" was asked of Congress Thursday by Atty. Gen. Tom Clark.

The request was in the form of a letter to Representative Celler (D., N. Y.), chairman of the House Judiciary Committee and author of

Clark Urges House Group To Back Anti-Lynch Bill

Nelson Malone

WASHINGTON, June 16 (UP)—Attorney General Tom C. Clark urged the House Judiciary Committee today to approve a new anti-lynch law and erase "a blot on our national life."

His views were expressed in a letter to Representative Emanuel Celler, Democrat, of New York, sponsor of the Administration's anti-lynch bill. 6-17-49

"In my judgment the Federal government today has the obligation to protect its citizens, and in fact all inhabitants of the nation, from the forcible deprivation by mob action of the right to a fair trial," Mr. Clark wrote.

He said his department has done all it can under existing law to guarantee Americans the right to a free trial but the law does not go far enough. 27f(2)

"[redacted] essential that a lynching [redacted] government in a position to prosecute the members of a lynch mob, particularly where there is no element of conspiracy with local officers," he said.

27f(2) 1949

7910

Anti-Lynching Law Demanded By NAACP

(27f(2) The World)

Memphis Tenn.

NEW YORK—In protest against the southern "pattern of violence" again brought sharply into focus by the recent lynching of young Calif Hill of Irwinton, Georgia, Assistant Secretary Roy Wilkins of the National Association for the Advancement of Colored People this week wired majority leaders of the United States Congress demanding that the 81st Congress "bring in a rule of law" to do away with mob violence. Jur. 6-10-49

The text of the telegram, sent on May 31 to Senator J. Howard McGrath (R. I.) and Scott W. Lucas (Ill.) and Representative John W. McCormick (Mass.), follows:

"Lynching of Caleb Hill yesterday at Irwinton, Ga., is but one more indication of necessity for civil rights legislation in this session of Congress. Georgia had two lynchings in 1948 and numerous acts of violence and terrorism against Negroes including murder of one man in Montgomery County because he voted in the primary last September and beating up of another man in Toombs County who carried voters to polls in his car. The Southern Regional Council, an organization of southerners of both races with headquarters at Atlanta, Ga. reported April 16 the existence of a "pattern of violence" in the South and cited fifty cases.

27f Jur. 6-10-49

"The record over the years proves that certain states will not protect citizens against lynching mobs which means that the Federal Government must do so through appropriate legislation containing proper penalties. The 81st Congress can bring in a rule of law to guarantee the security of the person from mobs or it can continue to condone the rule of the mob.NAACP urges action at regular session or at called special session."

7988

An Anti-Lynching Bill

Immediate Enactment of Federal Legislation Is Asked

The writer of the following letter was a member of the Sixty-seventh Congress, from New York. He was the author of the Edge-Ansorge Port of New York Authority bills in Congress and was one of the first to advocate and was first chairman of the Triboro Bridge Committee.

TO THE EDITOR OF THE NEW YORK TIMES:

The freeing on April 1 after "trial" by a white jury, respectively, of two white men in Georgia, accused of participating with a hooded and white-robed gang in waylaying and murdering Robert Mallard, a prosperous Negro farmer, on Nov. 20, as his wife sat beside him in his automobile, and President Truman's reiteration of his civil rights program, should bring immediate action in Congress, making lynching a federal crime.

The Fourteenth Amendment to the Constitution, Section 1 thereof, provides in part that—

"No state * * * shall deprive any person of life, liberty, or property without due process of law, nor deny to any person within its jurisdiction the equal protection of the laws."

Section 5 of the Fourteenth Amendment gives Congress the power to enforce by appropriate legislation the provisions of the amendment.

Fifteen million patriotic, law-abiding colored Americans and more millions of whites are hoping and praying today that Congress will enact legislation that will forever wipe the stain of lynching from the pages of American history.

Statistics of lynchings in this country for the past sixty years stagger the imagination. More than four thousand persons were lynched, usually by hanging or being burned to death. Of these, most were Negroes, many women.

Right of Congress

The Supreme Court in ex parte Virginia has held that where a state by its laws or by the acts of its officials does not give to its citizens the equal protection of the laws, Congress has the right to pass legislation giving to such citizens the protection guaranteed by the Fourteenth Amendment.

One need only recall the various forms of protective measures enacted by Congress between the Thirteenth and Fourteenth Amendments intended to safeguard these civil, political, and even social rights of the Negro in order to acquire a true perspective of the protection which Congress aimed to throw about the former slave by means of special legislation.

The provisions of the freedman's bureau and the first civil rights legislation indicate the extent to which our National Legislature deemed it necessary to go to offset the direct interferences by state activity with the rights of the new class of citizens.

The Fourteenth Amendment was passed to overcome whatever constitutional objections could be urged against the exercise of this federal power. It is not questioned that official abuse by any state officer can be made penal under the federal criminal law. It is likewise settled that a partiality in administration or refusal to apply the law justly has fallen under judicial condemnation.

An anti-lynching bill to be constitutional should be founded upon a legislative finding by Congress, that as regards the evil of lynching the state authority has pro tanto ceased to exist and has been usurped by the mob. Official neglect which instead of punishing and preventing further violations of the state's peace encourages the offenders to do a similar act at another time, allows two standards of conduct to exist in the state to the detriment of the liberty of the class against which the discrimination is made.

fear and threat of unlawful bodily harm, and even death, at the hands of a cowardly mob, all of his other civil rights are academic, meaningless and will not be used."

SPECIAL RESPONSIBILITY

"The 81st Congress has a special responsibility to pass the anti-lynching bill," Humphrey continued. "Civil rights legislation is in reality no longer a subject of deep contention and heavy debate for most Americans in most areas of the United States."

The Humphrey-Wagner-Morse bill includes all of the specific provisions recommended by the President's Committee on Civil Rights for an effective anti-lynching law.

Leslie Perry speaking for the NAACP asserted "those Republicans and Democrats who insisted that the passage of civil rights bills would not be hurt by their vote to make the filibuster more difficult to break, will soon have an opportunity to prove their statement."

"The NAACP," he declared, "will continue to push with all of its might for the passage of the Humphrey-Wagner-Morse bill and the entire civil rights program."

Mob Bill Called Heart Of Civil Rights Program

WASHINGTON, D. C.—Declaring that the anti-lynching bill represents "the heart and core of the President's civil rights program," Senator Hubert H. Humphrey, liberal Democrat from Minnesota, on March 25 introduced the NAACP supported anti-lynching bill.

The bill gives federal court jurisdiction over the crime of lynching and provides a maximum fine of $10,000 and 20 years imprisonment for members of lynching mobs. Co-sponsors of the measure are Senators Robert F. Wagner, Democrat of New York, and Wayne Morse, Republican liberal from Oregon.

Senator Humphrey declared that "unless a man is free from the

Anti-Lynch Bill Wins Approval Of Senate Group

WASHINGTON—(AP)—An anti-lynching bill was approved yesterday by a Senate Judiciary subcommittee. Sen. Ferguson (Republican, Michigan), author of the measure, said he expects the full committee to okay it Monday.

The first Civil Rights measure to advance that far at this session of Congress, it would make conspiracy to commit a lynching Federal crime and impose penalties of as much as $10,000 and a $20,000 fine.

The bill would cover not only those who were members of a lynch mob, but also local, State or Federal officials who did not diligently investigate and prosecute a lynching.

An identical bill was approved by the Senate Judiciary Committee late last session. It died without Senate consideration.

There was no prospect of early action at the present session.

Texas Passes Lynch Bill; May Oppose Repeal Of Poll Tax

AUSTIN, Texas — The Texas [illegible]

Anti-Lynch Bill Voted by Senate Subcommittee

Measure Lets U. S. Punish Local Law Officials Who Fail to Avert Mob Action

WASHINGTON, April 25 (UP)—The first racial rights bill of the current session of Congress was started down a rocky road in the Senate Monday when, by a vote of 4 to 1, a Senate Judiciary subcommittee approved a measure that would let the Federal government punish local law officials if they failed to prevent lynchings.

The bill is one of the cardinal points in President Truman's controversial civil-rights program, which touched off the Dixie Democratic revolt against the Administration last year.

Mr. Truman repeated his demand for his entire program this year, and Southern Senators are prepared to battle to the end against what they consider encroachment on their states' rights.

The subcommittee is headed by Senator Harley M. Kilgore, Democrat, of West Virginia. The dissenting vote was cast by Senator James O. Eastland, Democrat, of Mississippi.

Senator Homer Ferguson, Republican, of Michigan, said he hopes for full committee approval next Monday. The Senate Democratic whip, Senator Francis J. Myers, of Pennsylvania, refused to venture a guess as to when it will reach the floor until the full committee acts.

The bill omits one disputed section of previous legislation which would have made local governments liable for cash damages resulting from lynch mob violence. But it would subject to Federal prosecution any state or local officer failing to take all reasonable steps to protect lynch victims. Convictions would carry maximum penalties of $5,000 in fines and five years in prison.

Rep. Celler Opens Anti-Lynch Bill

WASHINGTON — Representative Emanuel Celler (D., N. Y.) this week introduced two Administration civil rights bills in the House which are companion measures to the Civil Rights Act of 1949 and the Anti-lynching Bill recently introduced in the Senate by Senator J. Howard McGrath (D., R. I.), chairman of the Democratic National Committee. Both measures have been referred to the House Judiciary Committee.

The Celler Civil Rights Act would establish a Commission on civil rights in the Executive Branch of the government, reorganize and enlarge civil rights activities in the Department of Justice, and create a fourteen-man commission on civil rights. It would also strengthen existing civil rights statutes relating to crime and violence; protect the right to vote regardless of race in any local, state, or federal election despite local laws, and would prohibit segregation on any common carrier engaged in interstate commerce.

His Anti-Lynching Bill provides for protection of individuals from a lynch mob under heavy penalties. Law enforcement officers who because of negligence fail to apprehend members of a lynch mob would be liable for criminal action whether or not they conspire with members of the lynch mob to deprive any individual of his Constitutional rights or trial by jury.

ANTI-LYNCHING BILL OFFERED IN SENATE

Humphrey Seeks To Test New Filibuster Rule

WASHINGTON, March 25.—Senator Humphrey (D., Minn.) Friday introduced an anti-lynching bill and challenged Republican Senate leaders to test their contention that the recently adopted anti-filibuster rule did not kill the chances of enacting civil rights legislation.

"The overwhelming majority of the American people are supporting President Truman in his fight for [illegible]

Texas Anti-Lynch Law

The World Atlanta Ga.

Governor Beauford Jester and the State Democratic Party have endorsed a state anti-lynching bill. The bill, introduced by Representative S. J. Isaacks of El Paso, is ready for floor action, was favorably reported out of committee by a majority of nine to three.

The bill defines first-degree lynching as "mob assault" on a person resulting in his death, carries penalties ranging from the death sentence to a minimum penitentiary term of five years.

This is a wonderful step in the right direction. The odds are probably 50 to 1 that such a bill will not be enacted at this time. But the very fact that it is possible to introduce and report out of committee an anti-lynch bill denotes a great step forward in the South and a healthy sign that Texas, at least, is willing to open the question of justice and human decency to the Negro for calm and considerate analysis. Such a step, if taken and completed on its own initiative, will take the sting out of the Truman's civil rights program. It will aid interracial understandings and create an all-around better and more wholesome attitude, since it will be the voluntary, rather than forced, action of a sovereign southern state. Texas has done well to introduce the bill. In Georgia the Legislature was unable to muster up enough goodwill to unmask the Klan.

House Committee Hears Anti-Lynch Witnesses

The World, Atlanta, Ga. Sun.

WASHINGTON, D. C. — (NNPA) — While very little has been learned about the scope of the inquiry ordered by the House Judiciary Committee into activities of the Ku Klux Klan in Alabama, informed circles here believe the probe will bring to light activities directed against colored people as well as flogging of several whites in the Birmingham area.

The House Judiciary subcommittee, headed by Representative William T. Byrne, Democrat, of New York, which is to make the investigation, is hearing witnesses on civil rights and antilynching legislation. Extension of its inquiry into Klan activities to violence to intimidate colored people moving into so-called white residential areas in Birmingham and to specific cases of lynching and mob violence in other southern states would be in line with both inquiries.

Representative Emanuel Celler, of New York, chairman of the Judiciary Committee, directed the investigation into Klan activities last Wednesday to determine the extent to which existing Federal civil rights statutes have been violated.

PROBE HOME BOMBINGS

While Mr. Celler disclosed that agents of the Federal Bureau of Investigation have been working on Klan activities in Alabama, it also was known that agents have been inquiring into acts of violence and intimidation as well as threats to bomb homes purchased by colored persons in an area in North Smithfield, a suburb of Birmingham.

The Byrne subcommittee is inviting Clark Stallworth, a reporter for a daily Birmingham newspaper, to appear as a witness. Mr. Stallworth was beaten while working on a story of violence by hooded gangs.

Just what other witnesses may be called has not yet been determined, but some of the flogging victims may be called in an effort to learn the identity of the floggers and study the psychological "climate" surrounding the floggings.

Shortly after Mr. Celler had directed the inquiry into Klan activities, the Byrne subcommittee was told that colored persons have been "lynched with impunity and no law has operated to punish lynchers."

WILKINS STATEMENT

A statement prepared by Roy Wilkins, acting secretary of the National Association for the Advancement of Colored People, was read Carter, father of ten children, who was beaten in Montgomery County, Georgia, and driven from his home because he urged colored people to vote and carried some of them to the polls on election day.

"On numerous occasions prior to elections," Mr. Wilkins said, "members of the notorious Ku Klux Klan have paraded through areas inhabited by Negroes with the avowed intention of preventing them from voting."

LYNCHING CITED

Mr. Wilkins also cited the lynching of Robert Mallard in Toombes County November 20, 1948. Mallard was shot to death in his automobile in the presence of his wife and child, according to Mr. Wilkins, because he was not the "right kind of Negro" and was "too prosperous." No one has been punished for this crime.

Referring to the lynching of Caleb Hill near Irwinton, Georgia, on Memorial Day, Mr. Wilkins said "That even so small a part of due process as the arest of an offender is considered abnormal in the locality is indicated by the comment of Solicitor C. S. Baldwin, who is quoted by the Associated Press as saying: "Most Georgia sheriffs would have shot the Negro instead of taking him to jail."

Mr. Wilkins charged that a "new lynching procedure" has developed in the South. He said it is now fashionable "to make a quick arrest of a suspect or suspects and present the case to the grand jury. More often than not the grand jury refuses to indict. In the cases where it does indict, a trial is held and a speedy acquittal secured."

Testifying in behalf of the Federal Council of the Churches of Christ in America, Dr. Samuel McCrae Cavert, its general secretary, told the committee that his organization has continously supported for fifteen years its position set out in a resolution adopted by its executive Committee March 23, 1934, expressing the conviction that "national legislation is a moral necessity to bring the federal government into prompt a nd effective cooperating with the state and local authorities in the prevention of lynching and the prosecution of lynchers."

Anti-Lynching Bill Opposed by Sheriffs

Detroit, June 22 (AP)—The National Sheriffs' Association adopted a resolution today opposing the anti-lynching bill pending in the United States Senate.

The sheriffs contended that the bill—sponsored by Senator Ferguson (R., Mich.)—is unnecessary because State laws already provide penalties for sheriffs who fail to protect prisoners from mobs. The bill would impose a fine of $5000 or a prison term of five years on a sheriff wilfully participating in a lynching.

Sheriffs And Mobs

The recent outburst of hooded gangster activity in Alabama has the single collateral benefit of refocusing attention upon Federal antilynching legislation. The House Judiciary Committee is currently holding hearings on several antilynching bills; the Senate Judiciary Committee has already given its approval to a measure sponsored by Senator Ferguson of Michigan which seems to us to be the soundest and most invulnerable to constitutional objection of all the related proposals now under consideration. Democrats and Republicans alike are under compelling obligation to see that Congress acts in this area before adjournment.

Senator Ferguson's bill would not attempt to punish lynching as such. Odious as this crime is, it cannot be said to fall within the jurisdiction of the Federal Government; a mob murder in rural Georgia is as much a violation of local law and a problem for local law enforcement as a gang slaying in Chicago. The difference between the two stems from the fact that as a rule the Chicago police are not in cahoots with the gangsters, while in Georgia and other Southern States lynch mobs all too frequently do their ugly work with the connivance or through the negligence of local officials. A majority of the lynchings that have occurred during the past decade have involved victims who were taken from the custody of officers of the law.

The fourteenth amendment forbids any State to "deprive any person of life, liberty, or property, without due process of law." Thus, although the United States is not empowered by this amendment to proceed against individuals who violate its terms acting in their private capacity, it may punish violation by State laws or by any individuals cloaked with the authority of a State. Senator Ferguson's bill would make liable to criminal prosecution in Federal courts and to civil action for damages any law enforcement officer, Federal, State or local, who should connive with a mob to permit a lynching or wilfully fail to prevent it or to make reasonable efforts to protect a prisoner in his custody. It would also, quite properly we think, undertake to punish any members of a lynch mob who conspired with an officer of the law to perpetrate a lynching. If enacted into law, this measure would be effective in dealing with a major segment of the lynching problem and in prodding law en-

A like penalty is provided for federal officers who wilfully refuse or fail to make "all reasonable efforts" to capture and prosecute any person who violated other sections of the act.

A person who is lynched, or his next of kin, would be entitled under the bill to file civil damage suits against those responsible for the lynching. Another section of the bill would

Senate To Get Anti-Lynch Bill

WASHINGTON, June 7 — An anti-lynching bill was approved yesterday by the Senate Judiciary committee.

The measure, introduced by Senator Ferguson (R., Mich.), was the first of 20 civil rights legislation to be approved by a Senate committee this session of Congress.

Chairman McCarran (D., Nev.) told reporters no roll call vote was taken on the bill.

A similar bill was approved by the committee in the closing days

THE LEGISLATION PROVIDES a maximum penalty of a $10,000 fine of 20 years in prison, or both, for conspiracy to incite, aid or commit lynching. It would apply to peace officers as well as members of a lynch mob.

It also provides that any officer who wilfully fails or refuses to protect persons against lynching can be fined up to $5,000 and imprisoned

7911

Texas Anti-Lynch Law

The World Memphis Tenn.

Governor Beauford Jester and the State Democratic party have endorsed a state anti-lynching bill. The bill, introduced by Representative S. J. Isaacks of El Paso, is ready for floor action, was favorably reported out of committee by a majority of nine to three. Jan. 5-6-49

The bill defines first-degree lynching as "mob assault" on a person resulting in his death, carries penalties ranging from the death sentence to a minimum penitentiary term of five years.

27f(2)

This is a wonderful step in the right direction. The odds are probably 50 to 1 that such a bill will not be enacted at this time. But the very fact that it is possible to introduce and report out of committee an anti-lynch bill denotes a great step forward in the South and a healthy sign that Texas, at least, is willing to open the question of justice and human decency to the Negro for calm and considerate analysis. Such a step, if taken and completed on its own initiative, will take the sting out of the Truman's civil rights program. It will aid interracial understandings and create an all-around better and more wholesome attitude, since it will be the voluntary, rather than forced, action of a sovereign southern state. Texas has done well to introduce the bill. In Georgia the Legislature was unable to muster enough goodwill to unmask the Klan.

Texas Gets Law To Curb Lynchings

Action by the Texas governor and legislature was taken in an effort to head off federal anti-lynching legislation.

Our Opinions

Hopeful News

AN anti-lynching bill has passed both houses of the Texas State Legislature, and is expected to be signed shortly by Governor Beauford H. Jester. The Texas anti-lynching law provides, according to news dispatches, "severe penalties for persons taking part in mob action that results in death."

The penalties include death or various terms of imprisonment according to the nature of the mob action and the injury done the victim. Further, it is stated, that persons convicted under the anti-lynching law are subject to civil suits for damages.

Texas has taken the leadership in the South in enacting a law specifically against the lynch evil. Credit for this constructive action must go to Governor Jester, who urged the legislature to pass the bill as an emergency measure.

We are thrilled by this development, but we insist that the need for a Federal anti-lynching law has not been lessened in the least. All of us are aware of the differences in the people and in the history of the various Southern states. The Negro has made much greater progress in some than in others, and there are different degrees of discrimination and segregation.

Nevertheless, as long as there is one state or one country in America where a Negro may be lynched with impunity, without any fear of the law, the need for a strong Federal law will exist.

Governor Jester told the legislators that the crime of lynching was "a matter which the state can and will handle without federal help or interference." While that may be true in Texas, it certainly is not true today in Georgia, Mississippi and several other Southern states. Further, no more Negroes should be sacrificed in waiting for these states to make up their minds about the need for protecting citizens of color from death and mob violence.

No childish states rights sentiment should stand in the way of stopping the violent mob rule which has cost the lives of over five thousand Negroes since Emancipation. History has shown us, too, that until mobsters are brought to justice and punished, the lynch evil will flourish. Even state laws under the administration of some prejudiced local officials can become meaningless.

We congratulate Governor Jester for what he has done in Texas, and hope that he joins with us in urging anti-lynching law for the nation which will give us a great, free America, as well as a model state of Texas.

7912

Sheriff Saves Negro From Mob; Says Klan Didn't 'Arrest Him'

LAFAYETTE, ALA., Oct. 10—(AP)—Sheriff J. M. Abney said today it took some plearing and arguing to rescue a Negro, wanted for killing a white officer, from [illegible] yesterday.

Abney said he had Deputy Doyle Mitcham out-talked the mob, and rushed Joe Nathan McCoy to Kilby prison at Montgomery for safe keeping.

The sheriff said McCoy would be charged with murder in the shooting of Bailiff Howard Groover of Lafayette in an argument over the eviction of another Negro Saturday.

The sheriff said a crowd of several hundred angry white persons formed in Lanett, a cotton mill town 18 miles away, by nightfall, and set out looking for McCoy.

The Negro caught early yesterday near the home of a brother.

The sheriff said the Ku Klux Klan deserved no special credit for the capture.

Yesterday, Floyd Tillery, a newspaperman in West Point Ga., just a few miles from Lanett, wired the Associated Press an account of the capture. Tillery quoted Richard Zeiger, who identified himself as a Ku Klux Klan organizer at large, as saying he led a group of Klansmen which captured the Negro.

Tillery said today that Zeigler insisted he was misquoted.

"He says I misquoted him in saying he was the leader and har summoned agroup of Klansmen," Tillery said. "He is not supposed to identify anyone as a klansman, and he had named two. Yesterday he said 'I want you to give credit to my general. He carried out my orders and did a swell job.'"

Zeigler said today he merely joined a group of hunting for the Negro, after he had been deputized by a police officer in Lanett.

Sheriff Abney said "Zeigler was in the crowd, and so were a lot of other people. I don't know whether Zeigler is a Klansman or not. It's rumored and pretty well understood here that he is a Klan organizer."

"If it hadn't been for Mitcham we never would have gotten the Negro back to town alive. Mitcham prevailed upon them not to kill him.

"I took him from the crowd under protest. Some of them wanted to lynch him, but I begged them not to."

Mob Violence Feared—

Slayer Of Lafayette Bailiff Now In Kilby Prison For Safety

LAFAYETTE, Ala., Oct. 11—Rescued by an angry mob after the fatal shooting of Bailiff Howard Groover, Lafayette, Ala., Joe Nathan McCoy, Negro, was being held for safekeeping in Kilby Prison today.

Sheriff J. M. Abney, of Chambers County, said some Klansmen undoubtedly were in the crowd that tried to lynch the Negro.

Floyd Tillery, West Point, Ga., newspaper man, said in a report to The Associated Press that Richard Zeiger had identified himself as a Ku Klux Klan organizer at large and declared he had led the group which captured McCoy.

But after this report was published, Tillery said that Zeiger insisted he was misquoted.

Klan Helps Capture Negro

LANETT, ALA., Oct. 9.—(AP)—Deputized Ku Klux Klansman, five of his followers and a policeman captured a Negro wanted for killing a Bailiff early today.

The Negro, Joe Nathan McCoy, was rushed by Chambers County Sheriff J. M. Abney to Kilby Prison for safekeeping.

Sheriff Abney said McCoy was wanted for the shooting Saturday of Bailiff Howard Grover of Lafayette, Ala.

Richard Zeiger, organizer at large for an unidentified Klan, was deputized by Lanett Police Lt. Jack Rearden shortly after the shooting and gave this account of the capture:

Followed Several Leads

"As soon as I had been deputized, I summoned to my aid five dependable Klansmen. We trailed several leads on the Negro all day until one of them led into Lafayette about dark Saturday.

"In Lafayette we were joined by a member of the police force and set out for the home of McCoy's brother.

"We surrounded the home," Zeiger continued, "and waited until about 4 o'clock Sunday morning before we saw him dashing from the rear door. I fired at him and he stopped, threw up his hands and began begging us not to kill him.

"We had difficulty in overpowering him, and had to manhandle him considerably. We drove him to Lafayette and turned him over to Sheriff Abney."

McCoy Protested

Sheriff Abney said the shooting of Groover developed while the bailiff was evicting a Negro from a home near McCoy's.

The law enforcement officer quoted McCoy as saying he protested that the bailiff was moving out the Negro's furnishing without regard for the fact that it was about to rain.

McCoy was quoted by the sheriff as saying Groover threatened to "beat him over the head and kill him."

The Negro claimed, said the Sheriff, that Groover finally did hit him on the head with a hammer and that the shooting followed.

The sheriff said a crowd of several hundred angry persons formed by nightfall in Lanett, a cotton mill town 18 miles away.

The sheriff said he split up the crowd and sent one group under night Policeman Doyle Mitcham, of LaFayette, whom he had deputized.

"Zeiger was in the crowd, and so were a lot of other people. I don't know whether Zeiger is a Klansman or not. It's rumored and pretty well understood here he is a Klan organizer."

The sheriff said the group headed by Mitcham captured McCoy near a home of his brother.

"If it hadn't been for Mitcham we never would have gotten the Negro back to town alive," Sheriff Abney said. "Mitcham prevailed upon them not to kill him.

"I took him from the crowd under protest. Some of them wanted to lynch him, but I begged them not to."

Then, Abney said, he rushed McCoy to the state prison at Kilby for safekeeping.

The sheriff said he would swear out a warrant charging McCoy with first degree murder.

Sheriff Denies Klan Credit For Capturing Accused Negro Slayer

LAFAYETTE, Ala., Oct. 10—(AP)—Sheriff J. M. Abney, of Campbell County, said today the Ku Klux Klan deserved no special credit for capturing a Negro accused of killing a police officer.

Instead, Abeny said, he and a special deputy had to plead and argue to keep a mob from lynching the Negro, Joe Nathan McCoy, early yesterday. Abney said some Klansman undoubtedly were in the mob.

Floyd Tillery, a newspaper man in West Point, Ga., just across the state line from Campbell County, wired The Associated Press an account of the capture yesterday.

Tillery quoted Richard Zeiger, who identified himself as a "Ku Klux Klan organizer at large," as saying he led the group which captured McCoy.

Tillery said today Zeiger insisted he was misquoted.

"He says I misquoted him in saying he was the leader and had summoned a group of Klansmen," Tillery said. "He is not supposed to identify anyone as a Klansman, and he had named two. Yesterday he said 'I want to give credit to my general. He carried out my orders and did a swell job.'"

* * *

SHERIFF ABNEY SAID the Negro shot and killed Bailiff Howard Groover, of LaFayette, Saturday after an argument.

7913

THE FLORIDA NATIONAL GUARD CALLED OUT

Men of the 116th Field Artillery Battalion standing guard on a machine gun mounted. They moved into Groveland Tuesday night three Negro homes were burned Monday night.

weapons carrier, with a 50-caliber to prevent further violence after

Associated Press Wirephoto.

Sheriff McCall, meanwhile, announced the arrest of a third Negro who has confessed to his part in attacking the 17-year-old woman. McCall said he also has a "line" on a fourth man and expects to make another arrest soon.

The sheriff asserted however:

"There'll be no lynchings of Negroes in Lake County as long as I am sheriff."

McCall denied that any of the members of the mob were Ku Klux Klansmen.

Sunday, leaflets entitled "The Ideals of the Ku Klux Klan"—published by the "Associated Klans of Georgia"—were passed out by unhooded men in automobiles that cruised throughout the town.

Floridian Saved From Mob, Wife Beaten; Officer Sued

CHICAGO, Ill. — On July 25, 1948, J. B. Baker, along with his brother and another, was riding on the highway of Port St. Joe, Florida, when he was allegedly accosted by one E. B. Jordan, road patrolman, who accused him of speeding. When Baker protested that he wasn't speeding, the patrolman reportedly became enraged and proceeded to beat Baker.

During the melee, Baker managed to escape and was taken and hidden by a white family, the men members of which joined the mob of between five and six hundred, in order to learn what they intend to do with Baker, should they find him. Learning that the mob intended to lynch Baker, the men, under cover of night, spirited Baker to Tallahassee and gave him bus fare to Chicago.

Two days later, on July 27, E. B. Jordan accosted Baker's wife, Maelo. When she couldn't tell of her husband's whereabouts, Jordan knocked her down, brutally kicked and beat her, so much so that today she is a semi-invalid.

In Chicago, Baker secured the services of William Henry Huff, ace extradition expert, who immediately filed suit in the Criminal Court of Cook County. On Thursday, August 4, 1949, Baker was discharged on a Writ of Habeas Corpus, by Chief Justice [illegible] McDermott.

Mrs. Baker has a suit against E. B. Jordan pending in the Circuit Court of Cook County, asking damages in the amount of $50,000.00.

The J. B. Baker case constitutes Atty. Huff's 74th straight extradition victory.

Down in Birmingham, Alabama, one Willie F. Sellars was to report to his parole officer for exactly one year, and he was not to leave the state within that period. When the year was up, he received permission from his parole officer, to go to Chicago, Illinois. In Chicago, during the month of April, in 1943, Sellers was called into the armed forces. He served six years in the army.

Then Alabama decided he had violated his parole. Sellers immediately engaged Attorney Huff, who filed suit in the Criminal Court of Cook County. On Wednesday, August 3, Sellers left the Cook County Jail a free man.

Racial Strife Ends In Florida

300-Man Detachment Of National Guard Is Released

GROVELAND, FLA., July 24 (AP) — This lake-dotted central Florida region—scene of violent racial disorder early in the week—is quiet and at peace today.

The 300-man 116th Field Artillery Battalion of the Florida National Guard has gone. Only farmers and their families in Sunday-best roam the streets—in contrast to the heavily armed khaki clad guardsmen who have patrolled the area since Tuesday.

Whether rumored flareups after the guard had pulled out would materialize remained to be seen. Certainly there was no visible indication that the passion which resulted in the burning of three Negro homes last Monday would recur.

Violence Followed

The rape of a 17-year-old white housewife and the robbery and beating of her husband by four Negro youths last Saturday morning touched off the violence.

Merchants and civic leaders exp[illegible]one Georgia car in addition to[illegible]said a prominent f[illegible]pressed the opinion that tempers[illegible]at least 10 from Orange and Polk[illegible]believe in mob violen[illegible]had simmered down and there[illegible]counties — hotbeds of Ku Klux[illegible]had good relations w[illegible]would be no more mob violence.[illegible]Klan activities in Florida.

Except for one inc[illegible]

Many leaders of Groveland be[illegible]Same Cars Present[illegible]the terrorism has tak[illegible]lieve outsiders are responsible for[illegible]Throughout the week, whereverside of Groveland."[illegible]fanning the flames of race hatred an[illegible]incident occurred, many of[illegible]He agreed, howev[illegible]Reporters who covered the ter[illegible]these cars were seen.[illegible]tween 30 and 35 Negr[illegible]ism observed two Alabama and "The people of Groveland[illegible]

Sheriff Staves Off Mob; Negro Families Are Moved

All's Calm Again As Klan Leaflets Fall In Fla. Town

TAVARES, Fla. (INS) — Sheriff W. V. McCall said Monday he had to talk "plenty fast" to stop a mob of about 100 armed men from storming the Tavares jail and taking two Negroes.

The sheriff stated the Negroes were arrested in connection with the robbery of a Groveland, Fla. white man and the kidnapping and attack of his wife.

McCall said he simply sat on the front steps of the jail and "talked things over with the boys." He continued:

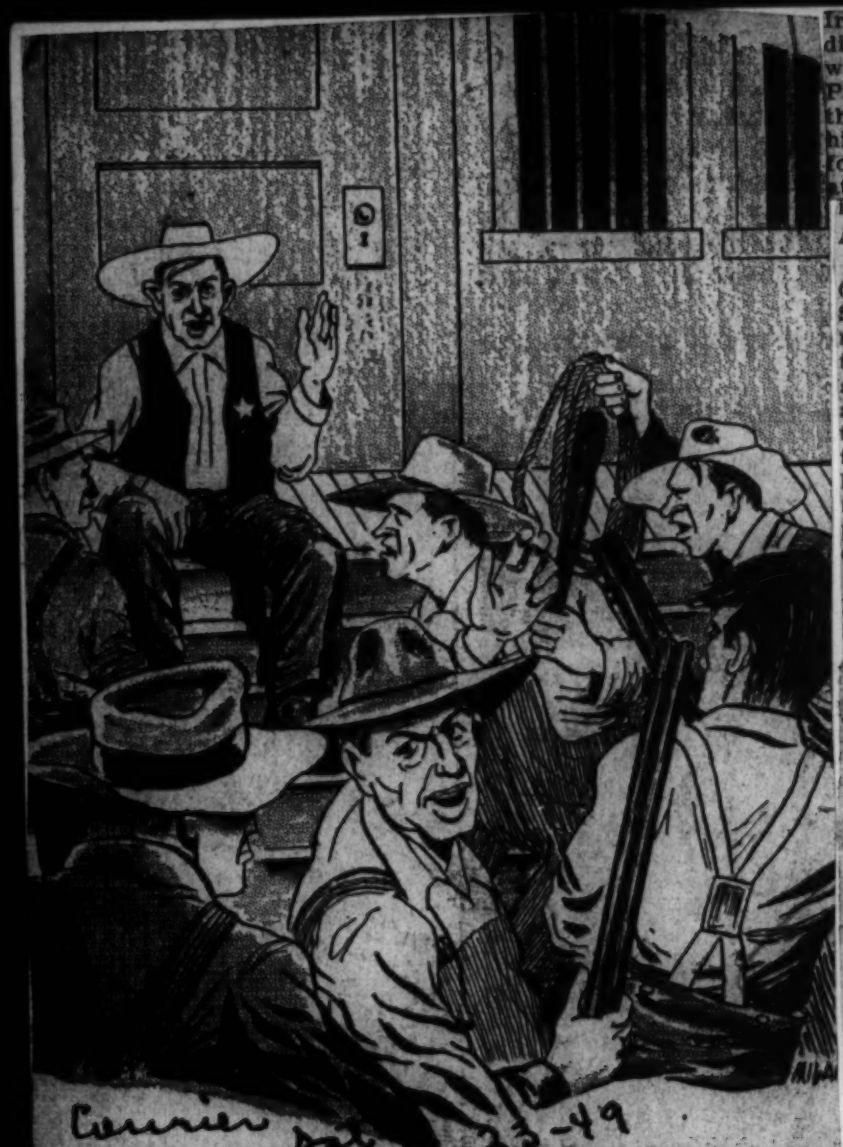
"I just let them know that I had a job to do, and that it was to protect my prisoners."

McCall said he talked to the men for an hour, and they quieted down and went home.

The mob had formed in Groveland Saturday night. Men in it got into cars and drove through the town's Negro section, firing several times into a cafe belonging to the father of one of the Negroes arrested.

A citizens committee formed in Groveland later moved nearly all of the town's 400 Negroes by trucks to surrounding communities.

Florida National Guardsmen left Tavares Monday after their "psychological patroling" of the area where smooth-talking W. V. McCall convinced a mob of about 100 men to refrain from lynching two Negroes.



Courier Artist A. S. Milar's conception of the near lynching in Florida. Sheriff is pictured persuading mob to give up idea of lynching two Negroes.

Sheriff Saves 2 Lives

Thoughtful Whites Help Evacuate Negro Citizens As Mob Shoots Up Town

GROVELAND, Fla.—More than four hundred Negro citizens of this little central Florida town were evacuated last Saturday following a near-lynching of two Negro [illegible] by an armed mob of more than one hundred whites, who had invaded the Negro section of town shouting threats and firing guns. Gov. Fuller Warren ordered out two companies of the state militia.

An hour of "fast talking" by Lake County Sheriff W. V. McCall frustrated the lynch plot after the sheriff had convinced the mob that the prisoners they sought were not in his jail. He had previously spirited them away to an undisclosed location.

PLEADS WITH MOB

"Folks," Sheriff McCall told the heavily-armed mob, "you elected me sheriff and my job is to uphold the laws of Florida and the United States and to protect my prisoners. This is a crucial moment that could cause a crisis here and throughout the state. Let's let the law handle this calmly."

He invited a "delegation" of the mobsters to tour the jail and see for themselves that the prisoners were not there. The two men sought were Samuel Shepherd and Walter Irvin, both 20. They were recently discharged from the Army and were accused of beating Willie Padgett of this city, a white man, then robbing him and kidnapping his 17-year-old wife. Padgett said four Negroes were involved in the attack. The other two are now being sought in a statewide hunt.

ALL RIDERS HOODED

A detachment of fifty National Guardsmen reached Groveland Sunday night after the sheriff had requested Governor Warren to intervene in the situation. There were about twenty cars of the riders—all of whom were hooded—bearing tags from Orange and Polk counties. They drove through this city late Sunday distributing leaflets entitled "Ideals of the Ku Klux Klan," published by the Associated Klans of Georgia.

Sheriff McCall said the evacuated Negroes were aided in leaving town Saturday in trucks provided by what he described as "responsible white citizens" when it was learned that the mob was being formed. The automobile cavalcade roared into the Negro section shortly afterwards.

ON SHOOTING SPREE

After being balked in their lynch attempt, the mobsters drove back to the Negro area and fired several shots into a cafe said to belong to one of the suspects in the case. A man asleep in the building was unhurt by the fusillade. Buckshot charges were also fired into a Negro home between Groveland and nearby Bay Lake, but no one was at home.

The evacuated Negroes were removed to surrounding towns. Guardsmen reported the situation was near normal early this week.

8

Official Courage in Dealing With Would-be Lynchers

A quick-thinking, courageous and resourceful Florida sheriff lately dealt with a mob-threat as such a situation generally should be handled. Thereby, Sheriff W. V. McCall of Lake County averted a double lynching. At the same time, swift evacuation of the Negro residential section at Groveland probably prevented casualties when the angry, frustrated rabble "shot up" that part of town.

Tuskegee Institute, that for more than a half-century past has compiled and published a year-by-year record of lynch-murders, thus has another name to add to its honor-roll of peace officers who dare stand up against the mob. Such a show of courage is almost unfailingly effective, as the mob is inherently cowardly.

Though Tuskegee's report showed but two lynchings during 1948, it credited the courage and quick work of officers with having saved 18 accused or suspected Negroes from death at mobs' hands. On the average, for the past half-century, officers who take their official oaths seriously have averted about 20 lynch-murders annually.

Thus far in 1949 one lynching has been recorded. Compare the recent showing with 1926, for example, when Tuskegee counted 30 mob-murders. In 1933 the count was 28.

The major credit for the improvement thus shown probably is due the educational work which civic organizations like the Association of Southern Women for the Prevention of Lynching have been doing these many years. The Tuskegee reports have supplied the incentive.

Yet, on its face, the Tuskegee record shows that, except for bravery and acumen at the right time, such as Sheriff McCall displayed, there would be but slight improvement over the situation of 20-odd years ago.

In this instance, after he had hurried the two Negro suspects to a secret jail, Sheriff McCall, by "fast talking" and then by showing its leaders through his jail, persuaded the mob that they were on a cold trail.

Certainly the officer who thus pacifies, outwits or quells the mob has earned a citation for distinguished service to orderly justice. Perhaps public recognition of such acts would encourage emulation.

Lynching probably cannot be stopped by statute, though the new Texas law may have a salutary moral effect. Mob crimes can be effectively checked by official courage and by enlightened civic sentiment.

Florida Sheriff Talks Mob Out of Taking 2 Negroes

TAVARES, Fla.—(AP)—A Florida sheriff told of "talking pretty fast" to disperse a mob of about 100 armed men who came to take two Negroes from his jail.

Sheriff W. V. McCall had arrested the two men on an open charge in connection with the robbery of a white man and the kidnaping and subsequent attack on his wife early Saturday.

McCall said he expected trouble and had moved the Negroes to another jail before the mob arrived Saturday night.

The sheriff said the men who marched to the jail were armed "to the gills."

"But I knew them all," he added, "and they were sober, reasonable fellows.

"I sat on the steps in front of the jail and talked fast. I told them I had a job to do and had to protect my prisoners. I explained I couldn't tell them where the Negroes had been taken. After talking to them for about an hour, they quieted down and went home."

The Negroes were taken into custody for questioning after a Groveland, Fla., man told police four Negroes beat and robbed him and then kidnaped his wife.

Returning to Groveland where it had originally formed Saturday night, the mob drove through the Negro section and fired several times into a Negro cafe, said to belong to the father of one of the suspects in the case. A Negro asleep in the building was unhurt.

Almost all of Groveland's 400 Negroes were moved out on trucks late Saturday to surrounding towns by citizens who feared there might be trouble. A spokesman for a citizens committee said the Negroes had been assured they would be given police protection upon their return.

The mob dispersed around 4 o'clock yesterday morning.

Sheriff Identifies Lynched Victim As Earnest Thomas

SHADY GROVE, Fla.—(INS)—The slaying of a Negro identified as Earnest Thomas by a posse some fifteen miles north of Perry, Fla., Tuesday, is under investigation Wednesday night.

Madison County Justice Custis Earp, of Greenville, is in charge of the investigation.

The posse had been hunting the man in connection with the attack of a Groveland white woman on July 16. Law enforcement agents from three Florida counties had joined in the search for Thomas. They used bloodhound teams to track down the Negro.

Sheriff W. V. McCall of Lake County told newsmen last night that the slain man was "undoubedly" Thomas.

Sheriff Saves 2 From Mob; 400 Flee

TAVARES, Fla. — A sheriff who knows the members of a mob of 100 armed men prevented them from lynching two suspects charged with robbery, kidnaping and criminally assaulting a white woman Saturday by "talking pretty fast."

Sheriff W. V. McCall said he had expected trouble and moved the suspects to another jail before the mob arrived.

400 Flee in Terror

When the mob returned to Groveland where it had originally formed, it drove through the colored section and fired several times into a cafe which was empty at the time. A man asleep in the building was not hurt.

Citizens who feared bloodshed and a reign of terror moved the entire colored population of 400 out in trucks and cars late Saturday to surrounding towns.

A spokesman for a citizens' committee said Groveland city officials assured them of adequate police protection upon the refugees' return.

Gov. Fuller Warren ordered the dispatch of State National Guardsmen to the area at the urgent request of sheriff McCall.

The officer said he wanted the Guardsmen more or less for the psychological effect. Col. Ralph W. Cooper of the Guard's headquarters in St. Augustine dispatched 500 troops to the scene.

White Man's Complaint

The sheriff took the suspects into custody and lodged them in jail for questioning after Willie Padgett of Groveland told police four colored men beat and robbed him, then kidnaped and criminally assaulted his wife.

He said the four men stopped as he and his wife were stranded on a highway 60 miles from Tampa by car trouble and offered to help them.

He told the sheriff the next thing he knew was that he was hit on the head, his wallet stolen and his wife was driven away in the men's car.

"I sat on the steps in front of the jail and talked fast.

"I told them I had a job to do and had to protect my prisoners. I explained I couldn't tell them where the men had been taken.

"After talking to them for about an hour, they quieted down and went home."

GUARDSMEN AWAIT FLORIDA MOB CLASH

Town Tense—Troops Rope Off Streets to Prevent Renewed Violence Against Negroes

GROVELAND, Fla., July 19 (UP)—Heavily armed National Guard reinforcements moved into this tense town tonight and roped off strets to prevent renewed mob attacks against Negroes.

A force of 220 ofifcers and men, equipped with an airplane, took over the tiny citrus-belt town at 7 P. M. and roped off the main road and six streets leading to the Negro section.

Sidewalk benches where residents sit whittling and gossiping in early evening were deserted as rain began to fall. Guardesmen patrolled the streets, and five carloads of sheriff's deputies, constables and highway patrolmen cruised slowly up and down.

Nearly every Negro houst had its door nailed shut and its windows boarded. Most of the town's 400 Negroes were reported to have left town before last night's violence, which included the firing of three houses, but many families were back tonight.

A Chain of Violence

camp three days after a young white woman's report that she had been raped by four Negroes set off a chain of violence. Bloodshed had thus far been avoided despite shooting, house burnings and threats against Negroes.

Tonight a call came for National Guardsmen to be sent to Clermont, six miles east of here, where racial trouble was reported brewing. A white-Negro dispute in Clermont eleven years ago resulted in the burning of every Negro house there.

Workers in Groveland said that most of the mob members came from out of town, some from as far away as Miami and Tampa. They said they did not believe the Ku Klux Klan was involved.

A Klan parade through Groveland, however, was among the incidents on Sunday.

Earlier today Sheriff W. V. McCall went from house to house, warning white residents that if any of them prowled with the mobs tonight, they would be arrested. Guardsmen were sent in force to the town on his request "so we can put a stop to this business once and for all."

Deputy R. E. Matcher said that the mob had a three-fold purpose last night—to find a fourth rape suspect, to wreak vengeance on the families of three others behind bars and to make an example of the alleged rapists so that other Negroes would 'ts'ay in line."

Mob Dispersed by Sheriff

But the absence of Negroes here sent the mob to the near-by town of Stuckey's Still, where one of the suspects reportedly sought shelter with a Negro family before he was arrested. Sheriff McCall, hearing reports that Stuckey's Still was to be wiped out, went to the town and dispersed the shooting and yelling mob,' which rode in about fifty automobiles.

Three Negroes—identified as Samuel Shepherd, Walter Irvin and Charlie Greenlee, all about 20 years old, are being held in a secret jail, charged with assaulting a 17-year-old woman after abducting her from her husband Saturday. One of the homes burned last night belonged to Henry Shepherd, uncle of one of the Negroes held.

The armed mob began forming Sunday and that afternoon it threatened to storm the jail at Tavares, near-by Lake County seat, believing two of the suspects were held there. Sheriff McCall convinced the leaders that the Negroes were not there.

But in spite of the good work done by Sheriff McCall we must point to one or two misgivings in that situation. One Negro, said to have confessed to assaulting a white woman, was the object of the anger of the mob. Yet members of the number shot in Negro eating places, later burned three Negro homes and forced a citizens commitee to evacuate the town's 400 Negroes so as to avoid physical violence.

Therein lies the unreasonableness of the mob. What the 400 Negroes had to do with the assault incident, is difficult to imagine. Yet how many times in the long history of American lynching have innocent Negroes been lynched when the angry mob failed to get the one they sought? The determination seems to be "if we don't find him there are other Negroes, get them". That happened in the Walton County multiple lynchings, where three Negroes died for the alleged wrong of one person.

A federal anti-lynching bill will cure such an evil. And Negroes must continue to fight for the passage of such a bill. Let the whole county pay for the hot-headed action of a few, just as these few go about threatening the lives of the innocent Negroes for the acts of one Negro. The practice must be halted.

Sheriff McCall Acts

We commend the courage of Sheriff Willis McCall, of Lake County, Flo[redacted] who last Saturday night staved off a mob of 100 [redacted] sitting calmly on the front steps of the jail and "talking things over with the boys." The Sheriff admitted, however, that he had to talk "plenty fast." But he said, "I just let them know that I had a job to do, and that it was to protect my prisoners."

That is a splendid demonstration of what influence a Sheriff can have in a community if and when he takes a mind to do so. "There'll be no lynching of Negroes in Lake County as long as I am Sheriff," he pledged with a deep degree of sincerity, and courage.

It is always difficult to forget weaker men's action when a Sheriff comes up like McCall and faces a similar mob of men. Thus we recall a Georgia Sheriff who less than six months ago gave in to a mob and then had the brass to ask: "What you do, facing a mob of 100 men?"

Sheriff McCall, we think, demonstrated what any Sheriff of courage would do, he simply stood his grounds and the mob respected him for it. As a consequence, no serious violence has been reported.

The Constitution, Atlanta Ga.

Associated Press Wirephoto

MOB WORK—This Negro house near Groveland, Fla., was burned Monday night by members of a mob. It was the home of Henry Shepherd, uncle of one of three Negroes held in connection with an attack on a white woman and the beating of her husband.

Florida Guard Unit Braces For New Mob Outbreaks

The Constitution, Atlanta, Ga.

Wed. 7-21-49

GROVELAND, Fla.—(UP)—A reinforced National Guard of 175 men braced for renewed outbreaks last night by sullen mobsmen accused of carrying on a "vengeance" terrorism against Negroes in this citrus and truck-farming town.

A crisis was feared. Sheriff W. V. McCall said he had taken "all I'm going to take." He went around from house to house yesterday, warning white residents that if any of them prowled with the mobs they would be arrested.

About 20 Florida Highway Patrolmen and 40 Deputies, many of them deputized in the three hectic days since a young white woman reported she was attacked by four Negroes, bu warked the National Guard detail. The Guard came to Groveland for the third time at McCall's request.

On his last request McCall asked Gov. Fuller Warren to send the guardsmen in force "so we can put a stop to this business once and for all." In addition to the 75 men dispatched on two previous calls, Warren sent 100 extra guardsmen with full equipment.

But the mobs potential also was reinforced. Deputy R. E. Hatcher said cars used in Monday night's terrorism, including wild shooting and the burning of three Negro houses with "Molotov cocktails," showed licenses from four surrounding counties and places as far away as Miami.

Hatcher said the temper of the mob had a three-fold purpose—to find a fourth suspect, to wreak vengeance on the families of three others behind bars and to make an example of the alleged attackers so that other Negroes will "stay in line."

The marauders, however, found only Negro property to take out their anger on Monday night. Every one of Groveland's 400 Negroes reportedly left town before dusk. A few reappeared at their jobs yesterday escorted by their white employers.

Wed. 7-21-49

The absence of Negroes here sent the mob on a side excursion to the nearby town of Stuckey's Still where one of the suspects reportedly sought shelter with a Negro family before he was arrested. Sheriff McCall, hearing reports that Stuckey's Still was to be wiped out, went to the town and dispersed the shooting and yelling mob which rode in about 60 automobiles.

While the National Guard kept watch in Groveland Monday night, Capt Jimmy Herlong, commander

...ful" white people among the population would like to see the mob dispersed and let the law take its course with the accused Negroes. But they are in the minority to more emotional elements, he said.

...ax in a public hearing, and no one spoke against the cigarette tax.

The Committee defeated an amendment by Rep. Culver Kidd, of the detail, said a white man approached and told him to "get the hell out of town."

Herlong said he paid no attention to the man, but the Guard was withdrawn about 1:30 a. m. when McCall said he believed his own force had the situation under control. Then the Guard was ordered back in strength yesterday afternoon when McCall scented "more trouble" and a "showdown."

Three Negroes — identified as Samuel Shepherd, Walter Irvin and Charlie Greenlee, all about 20 —are being held in a secret jail, charged with assaulting the 17-year-old woman after abducting her from her husband Saturday. A fourth suspect is being sought. One of the homes burned with gasoline bottles Monday night belonged to Henry Shepherd, uncle of one of the Negroes held.

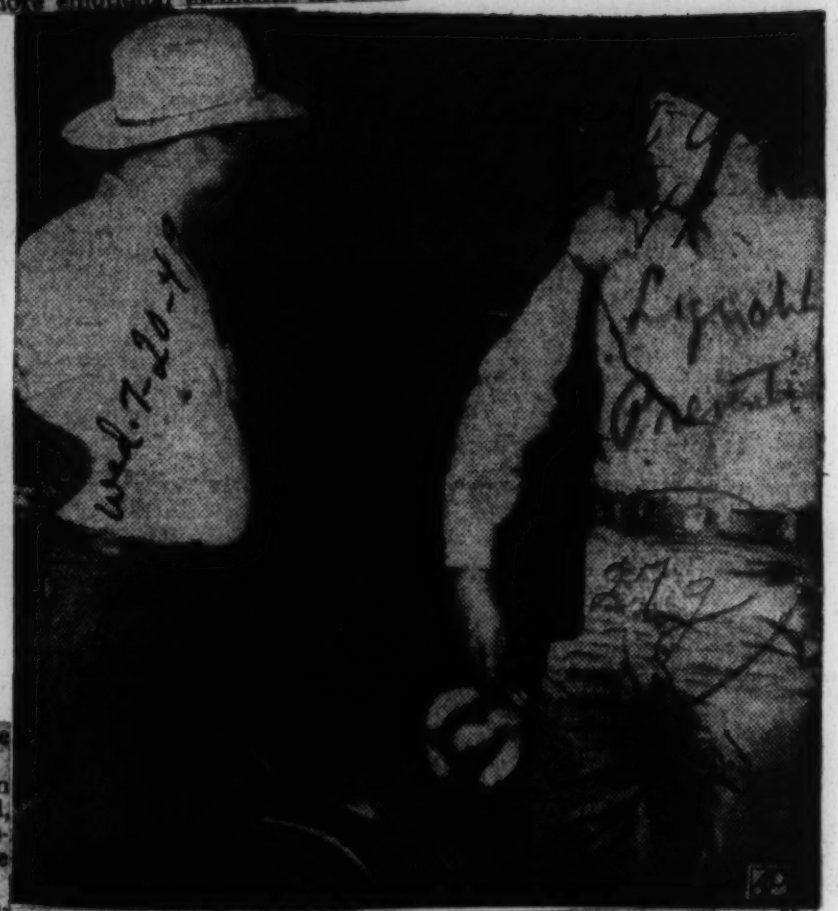
The armed mob began forming Sunday and that afternoon it threatened to storm the jail at Tavares, nearby Lake County seat, thinking two of the suspects were held there. McCall convinced the leaders the Negroes were not there.

Groveland is a small town of ...,000 population in almost the exact geographical center of the Florida peninsula. It's only activity is production of oranges and such truck crops as watermelons, beans and bell peppers.

Wed. 7-21-49

Groveland has one main street, a few one-story business buildings and the Negro quarter on the eastern edge of the town.

Deputy Hatcher said he thought



SHERIFF W. V. McCALL (left), of Lake County, Fla., talks with Lt. Jimmy Herlong, of the National Guard, at Groveland, Fla., after he frustrated a mob seeking three jailed Negroes who robbed and beat a white man and raped his 17-year-old bride. The prisoners are in a secret prison. One hundred National Guardsmen were dispatched to Groveland by Gov. Fuller Warren after a mob had burned three Negro houses. No casualties have been reported. A number of Negro farm workers are absent from work. A policeman said that the situation is growing worse instead of better. Three Negro suspects have confessed while a fourth is being hunted.

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Sheriff McCall Acts

We commend the courage of Sheriff Willis McCall, of Lake County, Florida, who last Saturday night stayed off a mob of 100 men by sitting calmly on the front steps of the jail and "talking things over with the boys." The Sheriff admitted, however, that he had to talk "plenty fast." But, he said, "I just let them know that I had a job to do, and that it was to protect my prisoners."

That is a splendid demonstration of what influence a Sheriff can have in a community if and when he takes a mind to do so. "There'll be no lynching of Negroes in Lake County as long as I am Sheriff," he pledged with a deep degree of sincerity and courage.

It is always difficult to forget weaker men's action when a Sheriff comes up like McCall and faces a similar mob of men. Thus we recall a Georgia Sheriff who less than six months ago gave in to a mob and then had the brass to ask: "What you do, facing a mob of 100 men?" Sheriff McCall, we think, demonstrated what any Sheriff of courage would do, he simply stood his grounds and the mob respected him for it. As a consequence, no serious violence has been reported.

But in spite of the good work done by Sheriff McCall, we must point to one or two misgivings in that situation. One Negro, said to have confessed to assaulting a white woman, was the object of the anger of the mob. Yet members of the number shot in Negro eating places, later burned three Negro homes and forced a citizens committee to evacuate the town's 400 Negroes so as to avoid physical violence.

Therein lies the unreasonableness of the mob. What the 400 Negroes had to do with the assault incident, is difficult to imagine. Yet how many times in the long history of American lynching have innocent Negroes been lynched when the angry mob failed to get the one they sought? The determination seems to be "if we don't find him there are other Negroes, get them". That happened in the Walton County multiple lynchings, where three Negroes died for the alleged wrong of one person.

A federal anti-lynching bill will cure such an evil. And Negroes must continue to fight for the passage of such a bill. Let the whole county pay for the hot-headed action of a few, just as these few go about threatening the lives of the innocent Negroes for the acts of one Negro. The practice must be halted.

Orlando Organizes To Help Refugees Of Fla. Terror

By [illegible]
(Defender Florida Correspondent)

ORLANDO, Fla. — Both white and colored citizens of this wide-awake city rallied to the call for aid from more than 400 refugees who came here to escape the reign of terror against Negroes in Groveland.

Civic-minded residents went into action immediately. Their first step was to organize an Emergency Committee. Through this group the fugitives were housed in private homes [illegible]

[illegible] invaluable role in the crisis was the American Legion Post. The committee supplied food for the refugees and the Legion auxiliary not only cooked but served [illegible] all services were provided free of charge to those unable to pay.

A baby was born to a Groveland woman here. All expenses were taken care of by the committee. Others who needed essentials and were unable to pay were given them without charge.

Making financial contributions were: the Orlando Planning Board, $50, with a promise to double the amount if the refugees had to stay longer than three days; the [illegible] Methodist, the Presbyterian churches, [illegible]; the Salvation Army and Negro groups.

Interracial Teamwork

Among the white citizens on the Emergency Committee were: Major R. L. Williams, acting mayor of Orlando and representatives of the Salvation Army; First Methodist church and Red Cross.

Negro members of the group include: Z. L. Riley, president of the Negro Chamber of Commerce; Rev. O. R. Jackson, president of the Lutheran Denomination Ministerial Alliance; A. C. Brinson, of Smith-Brinson Funeral Home; J. A. Preston, adjutant of Nix Post American Legion, and Rev. H. M. Harris, pastor of Mt. Olive AME church.

Residents of the trouble center may be divided into two groups: Those who live in citrus company-owned houses and home owners. A little known and significant fact is this: At least 60 percent of the 400 residents own their own homes.

There is a good reason for it. For six months during the year, the average worker earns from $40 to $100 per week by picking fruit. Their better-than-average Dixie standard of living is reflected in their homes and late model automobiles.

This "good living" has given rise to interracial jealousy. And many believe it is reflected in the action of "hot heads" to take the law into their own hands.

Eleven years ago a dispute between a Negro and a white resulted in a terrific toll on Negro property. Every house owned by a colored person was burned.

The Ku Klux Klan showed its hand in the incidents by distributing anti-Negro literature, entitled "Ideals of the Ku Klux Klan."

The pamphlet read: "THIS IS A WHITE MAN'S ORGANIZATION exalting the caucasian race and teaching the doctrine of white supremacy. This does not mean that we are enemies of the colored and mongrel races. But it does mean that we are organized to establish the solidarity and to realize the mission of the white race.

"All of Christian civilization depends upon the up-building of the white race and it is the mission of the Ku Klux Klan to proclaim this doctrine until the white race shall come into its own."

It was revealed Groveland residents in the attacking mobs were aided by a large number of persons from outside, including Tampa and Miami. Others state that Klansmen came from Georgia also.

During the past week, cars were seen on the highways in this vicinity with darkened license numbers, which is against the state law.

The three young men jailed for raping the wife of Willie Padgett are: Samuel Shepherd, Walter Irvin and Charley Greenlee, each about 20. They allegedly confessed.

Florida Sheriff Saves Negroes From Mob

TAVARES, Fla. — (ANP) — Two Negroes were saved from a possible lynching last week by their jailor, Sheriff W. V. McCall, outtalking leaders of a white mob when they came for his prisoners.

According to witnesses the mob, using 20 automobiles, toured Negro areas several hours before coming to the jail. The jail was allegedly a "secret" prison.

The men saved were Samuel Shepherd and Walter Irving, both veterans of World War II. They are being held in connection with the alleged rape and kidnaping of a white woman, the wife of Willie Padgett of Groveland, and also of attacking Padgett.

They are considered part of a group of four Negroes who Mrs. Padgett said assaulted her while holding a gun in her face. Her husband told police four Negroes attacked him and his wife on the ruse of helping him fix his automobile on a road about 20 miles from Groveland.

Our Opinions

A Reign Of Terror

Roving mobs of hate-crazed whites have terrorized the Negro population of central Florida. Hundreds of National Guardsmen have had to be called out to try to restore order and protect Negro citizens.

Homes have been riddled with bullets and several of them set afire in various towns and villages. Negroes have fled some sections leaving their possessions behind them. All of this has happened because of a charge by a white woman that she had been raped allegedly by Negroes.

The mad whites could not wait on the law. Hundreds of innocent Negroes have been made to suffer for a crime that no Negro may have committed. Here is the threat to our democracy that the Federal government cannot ignore. This reign of terror uncovers the cesspool where democratic ideals are being buried.

The Florida mobsters are undermining our government and giving aid and comfort to our enemies. They are the conspirators who must be stopped or our democracy will perish.

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...ATIONAL GUARDSMEN, with rifles upraised, stop a truck ...opped by white men as it attempted to enter the Negro community ...ear Groveland, Fla., Thursday. Guardsmen blocked all roads ...ng to Stuckey's Still after three Negro homes were burned Monday. —Acme Telephoto.

SAVED FROM FLORIDA MOB — J. B. Baker, left, is shown with Chicago Attorney William Henry Huff, and his semi-invalid wife, Mrs. Claude Baker, as they discuss the Florida brutality case in which Baker was nearly lynched and his wife beaten.

Floridian Saved From Mob, Wife Beaten; Officer Sued

CHICAGO, Ill. — On July 25, 1949, J. B. Baker, along with his brother and another, was riding on the highway of Port St. Joe, Florida, when he was allegedly accosted by Joe E. B. Jordan, road patrolman, who accused him of speeding. When Baker protested that he wasn't speeding, the patrolman reportedly became enraged and proceeded to beat Baker.

During the melee, Baker ... to safety, was taken and hidden by a white family, the men members of which joined the mob of between five and six hundred, in order to learn what they intend to do with Baker, should they find him. Learning that the mob intended to lynch Baker, the men, under cover of night, spirited Baker to Tallahassee and gave him bus fare to Chicago.

Two days later, on July 27, E. B. Jordan accosted Baker's wife, Maelo. When she couldn't tell of her husband's whereabouts, Jordan knocked her down, brutally kicked and beat her, so much so that today she is a semi-invalid.

In Chicago, Baker secured the services of William Henry Huff, ace extradition expert, who immediately filed suit in the Criminal Court of Cook County. On Thursday, August 4, 1949, Baker was discharged on a Writ of Habeas Corpus, by Chief Justice James J. McDermott.

Mrs. Baker has a suit against E. B. Jordan pending in the Circuit Court of Cook County, asking damages in the amount of $50,000.00.

The J. B. Baker case constitutes Atty. Huff's 74th straight extradition victory.

Down in Birmingham, Alabama one Willie T. Sellers was to report to his parole officer for exactly one year, and he was not to leave the state within that period. When the year was up, he received permission from his parole officer to go to Chicago, Illinois. In Chicago, during the month of April, in 1942, Sellers was called into the armed forces. He served six years in the army.

Then Alabama decided he had violated his parole. Sellers immediately engaged Attorney Huff, who filed suit in the Criminal Court of Cook County. On Wednesday, August 3, Sellers left the Cook County Jail a free man.

Fla. Sheriff Out-Talks Lynch Mob

TAVARES, Fla. — Two colored youths were saved from a lynch mob here recently when Sheriff W. V. McCall spent an hour talking 100 fully-armed men out of taking the law in their hands.

McCall stated the Negroes were taken into custody as result of a complaint by a white man, that four Negroes attacked him on the highway when his car stalled.

His wife, who was with him at the time, he said, was taken away by the four men.

Sheriff McCall stated that two of the men, Samuel Shepherd and Walter Irvin, both 20, were arrested and held without formal charges.

McCall pointed out that he expected trouble so he had the prisoners moved to another jail. National guard troops were called out as a precautionary measure.

After being talked to by the sheriff the mob departed and drove through several Negro sections. They fired a few times into a Negro cafe and a few shots were fired into a Negro home, but no one was there.

A state-wide search is underway for the other two wanted in the case.

Mob Here Frustrated in Quest for Killer

A mob of 25 to 30 angry persons tried to seize a 27-year-old Negro, charged with murder, in a Fulton County courtroom yesterday, after the jury returned a verdict of insanity.

Mercy McKay, of 100 Meldon Ave., S. E., charged with fatally shooting Roy H. Chadwick, 42, of Lilburn, last May 6, was safely whisked from the courthouse, however, and lodged in Fulton Tower.

Sheriff A. B. "Bud" Foster commended Deputy Sheriffs Leroy Stynchcombe and Emmett Bell for "preventing any trouble."

He said friends and relatives of the victim, who were armed with at least one knife, threatened to cut the Negro's throat.

Anticipating "trouble," Foster said the judge did not sentence the prisoner after the verdict was read. Instead, McKay was quickly locked in a room on the sixth floor near Judge E. E. Andrew's courtroom, where the trial was held.

After the mob had dispersed, the prisoner was slipped out by way of a private elevator.

Dr. Frank Eskridge, of Atlanta, had testified that he had observed the Negro for several months and was convinced the defendant was insane.

The Negro, according to police, shot Chadwick for no apparent reason last May while both were at work in a meat packing plant.

vinced that between three and six men "had it individually in their hearts to kill the Negro, and probably would have cut him to pieces if they had been able to get to him."

Georgia Sheriff Blocks Lynching

NASHVILLE, Ga., Sept. 1—(AP)—A South Georgia sheriff today told of cooly taking an unintimidated Negro from a mob bent on avenging the attempted rape of a housewife.

Sheriff N. N. Hughes said the Negro was in no way connected with the attack on the 40-year-old farmer's wife left alone at home while her husband took the three children to Sunday School.

The mob believed, said Hughes, that the Negro could lead them to a suspect and intended to make him do so.

For a time during the afternoon and night, Hughes reported, the situation "looked pretty bad" with mobs roaming the streets, finally consolidating into one of around 1,500.

State troopers were rushed into the area at the sheriff's request but withdrew early this morning.

Georgia Negro Trouble Probed

ATLANTA, Sept. 24—(AP)—Federal authorities were reported today to be investigating attempted mob action against a Negro Thursday night at the Fulton County court house.

The Negro, Mercy McKay, was whisked away from angry, threatening spectators by two Fulton County deputies. A jury, trying McKay on a charge of murdering Roy H. Chadwick, had just returned a verdict of insanity.

McKay was charged with killing Chadwick May 6 while they were working in the meat trimming room of a packing house.

Judge E. E. Andrews, who presided over the trial, said he did not believe the action of the spectators could be termed an attempted lynching because no planned, concerted action by a group of persons took place.

He added, however, he is con-

Too Slow on Draw, Dade Sheriff Testifies

By BEM PRICE

ROME — (AP) — Dade County Sheriff John W. Lynch swore yesterday he reached for his gun to stop Ku Klux Klan seizure of two Negro prisoners.

But, he observed, he was too slow on the draw.

Even as his hand flicked to his pistol, one of the white-robed mob surrounding him and a deputy, poked a hard object in his back and, the Sheriff recounted, snarled: "Don't reach for your gun!"

This individual, the Sheriff said, also added, "the hell with you. We'd just as soon kill you as the Negroes."

Sheriff Lynch said he figured the hard object was a deadly weapon.

The chief law enforcement officer of Dade County was the last of 10 defendants to take the stand in the mass civil-rights trial here.

Lynch, three of his deputies and six private citizens are charged by the Government with conspiring to have seven Negroes arrested falsely and surrendered to Klansmen for beating.

As for those seven, the Sheriff swore he did not see them that night but only the two he was holding in the road for public drunkenness.

He stoutly maintained that he had never conspired with anyone to have the Negroes arrested and beaten.

In fact, he said, his presence at Hooker Hill before the home of Mrs. Mamie Clay, a Negro, the night of April 2 was a coincidence.

The Government charges the seven Negroes were seized at the Clay home that night immediately after a cross burning at the hill across the road.

Lynch declared that although his deputy, William Harline, had told him there was to be a cross burning in the county, he didn't tell him precisely where.

Harline admitted earlier in the Federal District Court trial he had helped build and deliver the cross to Hooker.

While on routine Saturday night patrol through Hooker, the sheriff declared, he spied a car weaving up the road and watched it wheel into the Clay yard, a Negro jumped out with something in his hand and fled.

After a fruitless search for the fugitive back of the Clay home, he said he returned to the road to find two deputies holding two Negroes. Immediately thereafter he said a truck sped by at a reckless speed.

Lynch, a former boilermaker turned sheriff, said he ordered two deputies to give chase and while they were gone the Klan arrived, ignited a cross on the hillside and then some approached him saying, "what are you doing with those Negroes?"

The sheriff said he explained, "they're drunk."

After several Klansmen had sniffed the Negroes' breath the sheriff related, a red caped Klansman announced, "sheriff, you and Mr. Bleckley (a deputy, John F. Bleckley—one of those on trial) can leave. We are taking over."

Lynch said he remonstrated "now, fellas, we got these fellas arrested and we can't turn them over to you."

With that, he continued, this hard object was placed in his back and he and his deputy were shoved away from their prisoners.

"I told them," the sheriff testified, "you gentlemen are making a mistake to interfere with the law making an arrest."

To this, he told the court, a Klansman answered, "damn you and the law."

He admitted to his attorney, Frank M. Gleason, of Rossville, that he asked a few questions about the matter around town the next day but really he didn't know much about making such investigations.

DADE SHERIFF SAYS HE SAVED NEGROES

ROME, Ga. — Dade County Sheriff John W. Lynch reversed his previous position on the flogging of seven Negroes and his part in providing protection for them.

At the time of the floggings last April 2, the sheriff was reported to have asked "what would you do facing 70 or 100 men?" On the witness stand Monday, he told the court that he was not afraid but he wanted to save the Negroes, whom he said, would probably have been killed had he offered stiff opposition to the Klansmen.

U. S. District Attorney Ellis Mandy, who subjected the sheriff to a grilling series of questions, asked if he didn't surrender the Negroes because he was afraid. To which Sheriff Lynch replied:

"I would be glad to give my service to my people to the last drop of my blood."

"But you didn't draw your gun," Mr. Mundy said.

"If I had drawn my gun, every Negro on Hooker Hill would have been killed that night," Sheriff Lynch replied hotly. "Anybody who has got sense enough to spell the handwriting on the wall knows that. I ain't afraid of no man who ever wore a pair of breeches."

ASKED HIM TO JOIN POSSE

F. N. Belk, a defense witness, said that Sheriff Lynch asked him to join a posse, at 10:30 p. m., Saturday, April 2, in Trenton.

"Sheriff Lynch told me that the Ku Klux took a bunch of colored fellows away from him and his deputies and whipped them," Mr. Belk said.

Mr. Mundy leaped up when this statement was made and emphasized it because Sheriff Lynch had denied on the stand that the Klan took more than two away from him and insisted that he did not even see the other five. The sheriff also had said that he didn't find out about the Negroes being whipped until he read it in Chattanooga papers the following Monday.

Sheriff Lynch said that he knew of the cross burning in Hooker before he went there, but it had nothing to do with his trip to that point. He said that he and his three deputies were on a routine patrol in one car and stopped in Hooker Hill to chase a Negro who had what looked like a jug of liquor under his arm in a paper sack.

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A Sheriff With Courage

Sheriff N. N. Hughes of Berrien County stood firm for the law which he is sworn to uphold and repulsed Sunday afternoon and night a mob of some 1,500 angry men who were bent upon lynching some Negro for the attack upon a white woman.

"I told them," related Sheriff Hughes, "that they were going to get themselves into more trouble than they would ever get out of. As for the Negro, he was about a scool as anyone you'd ever seen. He told them he wouldn't go with them but would go with me."

There we have a surprising amount of courage, both on the part of the sheriff and on the part of the Negro. In most of the small towns the white and colored people know each other. They know the strength and weaknesses of each other and they know that some Negroes living in these areas can be depended upon to mind their business and after that is done they too, become dangerous if their paths are crossed. Such a Negro must have been the kind the mob encounter in their search Sunday afternoon.

Too much credit cannot be given to Peace Officers who make it their business to risk danger in order to protect their prisoners and thus uphold the law which they are under oath to uphold. To be sure there ar einstances where this is not done. But on the whole, officers in this category are becoming smaller and smaller.

Negro Saved From Ga. Mob

Nashville, Ga., Aug. 1 (AP).—A Georgia sheriff today told of taking a Negro from a mob bent on avenging the attempted rape of a housewife.

Sheriff N. N. Hughes said the man was in no way connected with the attack on the 40-year-old farmer's wife. The mob believed the Negro could lead them to a suspect and intended to make him do so.

For a time, Hughes reported, the situation "looked pretty bad," with mobs roaming the streets, finally consolidating into a crowd of around 1500.

"I told 'em," said the sheriff, "that we had good Negroes here and bad Negroes, and we were going to see that the good ones were protected. I told 'em that they were going to get themselves in more trouble than they would ever get out of."

As for the Negro, Hughes observed that he "was just about as cool as anyone you'd ever seen. He told 'em he wouldn't go with them, but would go with me. They finally agreed."

Trouble started for this little tobacco-belt town 40 miles north of the Florida line after the farmer's wife had told of struggling fiercely with a Negro. Her screams finally drove him away.

No trace of the assailant was found.

Attack Suspect Whisked Off To Undisclosed Jail

All's Quiet Reported In Small South Georgia Town

NASHVILLE, Ga. — (SNS) — Berrien County Sheriff N. N. Hughes said Monday night he had arrested one Negro and released another in connection with the attack on a prominent white woman that almost turned out the quiet South Georgia town of Nashville into a scene of a lynching.

Sheriff Hughes refused to identify the Negro and said he had been sent to an undisclosed jail for safekeeping.

One Negro who had been arrested Sunday was released Monday. The Negro being held was booked on suspicion of the attack.

Hughes calmed a lynch-bent group Sunday afternoon with what he called down-to-earth arguments. The mob tried to take a Negro thought to have information in the attack of the woman.

The Negro was taken at his home shortly after the attack was reported Sunday afternoon. The men wanted to know if he could tell them who the Negro suspected of the attack was and where he was hiding.

CAMP ESCAPEE

Alleged Sex Attacker Put in Cell

Constitution State News Service

BAINBRIDGE — Decatur County Sheriff A. E. White reported yesterday that a wounded Negro convict, accused of attacking a white woman here during a brief escape Thursday, was taken to the State Prison for safekeeping.

The Sheriff said he and State Highway patrolmen took the Negro to Tattnall Prison at Reidsville after nearly 100 persons had gathered in front of the courthouse here.

The escapee was serving a State sentence and was identified as Sidney [illegible].

Sheriff White reported that the prisoner escaped from a work camp Thursday afternoon and attacked a 60-year-old Bainbridge woman at her home near by.

Griggs' trail was picked up by bloodhounds borrowed from the Florida State Hospital, just across the Georgia line.

The Sheriff said a deputy wounded Griggs with a shotgun when he resisted arrest, but added the Negro was not seriously injured.

A Bainbridge hospital reported that the woman suffered a broken leg and was severely beaten about the head during the alleged attack.

The Sheriff said he believed the woman had been criminally assaulted, but the hospital declined to report on that sttaement.

Police here also reported that while the crowd was milling about the courthouse, a Negro walking along the street was fired upon by someone in a moving taxicab. The Negro was not hit.

Georgia Mob Lets Sheriff Take Negro

Tried To Get Prisoner To Lead Way to Suspect

Nashville, Ga., Aug. 1 (AP)—A south George sheriff today told of taking an unintimidated Negro from a mob bent on avenging the attempted rape of a housewife.

Sheriff N. N. Hughes said the man was connected in no way with the attack on the 40-year-old farm wife left alone at home while her husband took their three children to Sunday school.

The mob believed, said Hughes, that the man could lead them to a suspect, and intended to make him do so.

For a time yesterday afternoon and night, Hughes reported, the situation "looked pretty bad," with mobs roaming the streets and finally consolidating into one of about 1,500.

Troopers Sent To Area.

State troopers were sent into the area at the sheriff's request, but withdrew early this morning.

"There isn't a ripple on the waters today," Hughes reported.

The mob seized the man at his home, the sheriff said. When Hughes arrived, the mob had the man outside on the road where a number of cars were lined up.

Two drunks in the crowd promptly were clapped in jail by the sheriff.

"I told 'em," said Hughes, "that we had good Negroes here and bad Negroes and we were going to see that the good ones were protected. I told 'em that they were going to get themselves in more trouble than they would ever get out of."

'As Cool As Anyone.'

As for the man, Hughes observed that he "was just about as cool as anyone you'd ever seen. He told 'em he wouldn't go with them, but would go with me. They finally agreed."

Trouble started for this little tobacco-belt town 40 miles north of the Florida line after the farmer's wife had told of struggling fiercely with a Negro. Her screams finally drove him away.

No trace of the assailant was found.

Sheriff Saves Father From Mob of 1500

NASHVILLE, Ga. — A Georgia Sheriff took a Negro father from a mob here Sunday and carried him to safety. The law agent, N. N. Hughes said the prisoner was in no way connected with an alleged attack on a 40-year-old farmer's wife.

Several carloads of men gathered at the home of the man after the woman reported she had frightened away a Negro after struggling with him. They brought him out as the sheriff arrived.

The sheriff pointed out that the victim showed no fear in the face of danger and told his assailants he would not go with them, but would go with the sheriff.

State troopers were ordered into the little tobacco belt after the mob roaming the Negro town had grown to 1500 [illegible] withdrew early Monday. Two intoxicated members of the band were jailed.

Lynch-Bet Mob Foiled in Court

ATLANTA (ANP) — Two sheriff's deputies foiled a mob of 25 or 30 white persons as it sought to seize Mercy McKay, 27, in a Fulton county courtroom, here Thursday.

McKay was on trial for the murder of Roy H. Chadwick, 42-year-old white resident of Ilburn, last May. 6.

The jury had returned a verdict of insanity when friends and relatives of the deceased, threatened to kill the prisoner. Anticipating trouble, the judge did not sentence the prisoner after the verdict was read.

Instead, McKay was put into a locked room on the sixth floor near the courtroom. After the mob had dispersed, he was taken out by way of a private elevator.

According to police, McKay shot Chadwick for no apparent reason while the two were at work in a meat-packing plant. Testimony of Dr. Frank Eskridge was that he had observed the man for several months and was convinced he was insane.

In The Temple Of Justice

Enraged over a jury's ruling that Mercy McKay, a Negro charged with the murder of a white man, was mentally unbalanced, a mob of white spectators, believed to be residents of Lilburn, Ga., desecrated the Fulton County Court house last Thursday evening in staging a search for the Negro. Observers say that the only reason that the Negro is alive today, is attributable to the speedy action and the good sense of the attending deputies around the courthouse.

Here, in the very temple and bulwark of justice, we are able to report that Atlanta, the hub of the Southeast, did escape a lynching only because the would-be-mobsters were unable to gain control of the prisoner, who was forced to lie down on the floor of an automobile in which officers took him to the Fulton Tower for safety.

That's the sort of news Russia and other totalitarian powers can use to their greatest advantage. We can't laugh off the seriousness of what transpired Thursday night. For here in the very midst of law and order we had a clear demonstration of how a mob threatens not only the Negro but the members of the jury which adjudged him mentally defected. Not even the judge would have been immuned from their attack.

What clearer example or demonstration do we in the South need to prove that we must support the fight to pass adequate anti-lynching laws? Can the South afford to continue to live in the shadow of fear and intimidation from the hoodlums which disgrace it and the nation? When will the day come that the intelligent voices will assert themselves and relegate to the past those irresponsible forces which now threaten the peace and security of all of us?

Southern Democrats, by their uncompromising campaign against justice and equality for Negroes in the nation's Congress, are giving their tacit approval to such things as what happened at the Fulton courthouse Thursday. In Russia and in other hostile countries of the world, our weak points are exploited. Our strong points are ignored. If for no other reason, enlightened self-interest demands that we blot out the evil of mob-violence, the Ku Klux Klan, the Columbians and all other groups with sinister motives.

In nearby Nashville, Ga., another sheriff made the headlines. A mob grabbed an unidentified man near Sheriff N. N. Hughes's home. Hughes came out and told the hoodlums they had the wrong man and that he intended protecting him by force, if necessary. The man was released. Wonder what Sheriff Hughes would have done if he had believed the would-be victim [redacted] attack? . . . Down in Alabama, the [redacted] under the State's new anti-mask law were [redacted] son, 19, and Robert Miller, 21, were given six [redacted] respectively for donning hoods and sheets [redacted]

Prisoner Narrowly Escapes Lynching

By ROBERT E. JOHNSON

A 27-year-old Atlanta Negro, declared mentally unable to stand trial for the murder of a white man and ordered, over the angry protests of a milling mob, to Milledgeville hospital for further observation is alive today chiefly for one reason:

The would-be mob, believed to be made up largely of spectators from Lilburn, Ga. (home of the deceased man), apparently didn't know their way around in the Fulton County courthouse.

Moreover, it was obvious that they did not know the numerical strength of the law enforcement officials present in the superior court room and the courthouse, generally.

Dominated by a collective emoton the mob action took off in high gear, a courthouse official said, when a trial jury returned the following verdict:

"We, the jury, find the defendent insane. . . ."

The defendant, Mercy McKay, of 100 Meldon Ave., S. E. was charged withthe murder of a white packing plant worked Roy H. Chadwick of Rt. 1, Liburn, Ga., on May 6.

Immediately after the verdict was returned around 7 p. m. Thursday night two hours past the usual closing of courthouse activity, two Fulton county deputies the only law officials present swung into a counter-action to avert a possible lynching.

Deputies Emmett Bell and Leroy Lynchcomb forthwith frustrated the action of some 25 or 30 white men by removing the defendant from the courtroom by the way of Judge E. E. Andrews' judicial chamber.

Deputy Bell said he made the move because he had heard relatives and friends of the victim threatening to cut the defendant's throat while the jury was locked up in a two-hour deliberation.

Judge Andrews had already sensed the impatience and unrest of some of the spectators and told the deputies that if the jury returned a verdict of insanity to get McKay out of the room as quick as possible.

The judge's instructions were being carried out when the mob influencing one another by an expression of alarm, began crowding in on the deputies and the defendant.

Meanwhile, the majority of mob, apparently under the imuression that the prisoner would be escorted out of the courtroom through the main entrance, made a concerted move in that direction.

It was then that the deputies made a pivot turnabout with the prisoner and escaped a possible lynching by slipping in a side corridor and then into another rom. The office room was locked behind them until the mob scattered.

The prisoner was taken from the courthouse by the way of a comparatively unobserved prisoner's elevator facing the side corridor. A courthouse official then instructed the prisoner to lie down on the floor of his automobile and sped with siren screaming, to the Fulton Tower, where the prisoner was left for protection.

During the trial, Defense Attorney Pierre Howard had sought to prove through testimony that his client was insane and, therefore, unable to counsel his attorneys and stand trial for the murder. He entered a special plea of insanity in behalf of the defendant and attempted to substantiate the defense position by expert testimony from Dr. Frank Eskridge, who had been observing the prisoner for several months.

Dr. Eskridge testified that the defendent was insane. He said he reached this conclusion after a long study of the defendant. The doctor said McKay had, over a period of years, developed a persecution complex which had its root in a domestic problem that goes back several years. He said he was convinced that the defendant suffered from delusions.

Attorney for the State, Young Frazier, in cross-examining the doctor, asked for an example of a deluded person. Dr. Eskridge replied "If you told these people that you're Jesus Christ, you'd be suffering from a delusion." Attorney Frazier agreed.

The State attorney had contended that McKay shot Chadwick for no apparent cause while they were working together at the White Provision meat packing plant. Dr. Eskridge explained that it was possible for a deluded person to believe that he was threatened and, therefore, act on that basis.

Speedy Action Of Deputies Prevents Atlanta Lynching

7918

Mob Flips Coins to Pick Lyncher; Negro Saves Life by Dive in River

OPELOUSAS, La., March 7—A 25-year-old Negro, kidnapped from the St. Landry Parish Prison and on the charge of raping a white woman, jumped into the Tchafalaya River today and escaped while the leaders of a mob matched coins to see who would be his executioner.

The man is Edward Honeycutt, who has confessed that he attacked a white woman three months ago. A fisherman dragged Honeycutt from the river, and he was rearrested by Marshal Kenneth Devillier of Krotz Springs, La.

Authorities took him to the "mob-proof" prison at Baton Rouge, the state capital. They said Honeycutt was "not harmed," but they refused to let anyone talk to him.

Sheriff Martin Guilbeau said there were two "and maybe three" automobiles filled with men in the mob that abducted Honeycutt. The sheriff and a posse were so close on their heels that the kidnappers had to flee without looking for Honeycutt when he escaped from them.

An elderly jailer was tricked at midnight Saturday into letting three men snatch Honeycutt from the St. Landry Parish Prison, which was supposed to be "mob proof." The jail is on the top floor of the three-and-a-half-story court house building.

Three men came up in an elevator. Two of them complained to Jailer Henry Landry that their companion was drunk and making a nuisance of himself. They said they wanted him locked up.

The jailer opened the steel door between the elevator entrance and the prison. As he did so, one of the men smashed him across the arm with a pistol. Another grabbed his keys.

"And now get the hell out of here," one of the men snarled at Jailer Landry.

The jailer fled to a restaurant across the street and telephoned Sheriff Guilbeau. By the time the sheriff had mustered out his deputies, the men had taken Honeycutt away. There were some blood spots in the elevator.

Sheriff Guilbeau quickly organized a posse. Many cars took the trail, and chased the mob to a bridge across the Atcharalaya River near Krotz Springs.

Honeycott was dumped on the low levee and three members of the mob started matching coins to see which one would shoot him.

As they matched and argued, Honeycutt dived into the river, 120 yards wide at that point. The mob made a quick search for him and then fled, with Sheriff Guilbeau's posse close behind.

Honeycutt clung to some willows along the bank for four hours—it was 2 A. M. when he escaped—and a fisherman identified only as "Blackie" helped him out and gave him a change of clothes.

Marshal Devillier, who told the story of Honeycutt's escape from the mob, said he caught Honeycutt in Krotz Springs. He turned Honeycutt over to Sheriff Guilbeau's men.

Meanwhile, Sheriff Guilbeau said, he could identify the leaders of the mob if he saw them again.

Sheriff Guilbeau said he suspected that the mob came from Eunice, La., where the attacked woman lives. He said both he and the state police were conducting an intensive investigation, but had not arrested any suspects.

THREE MEN FACE KIDNAP CHARGE

St. Landry Trio Arrested After Lynch Attempt

(Special to The Times-Picayune)

Opelousas, La., March 7—Kidnaping charges were filed against three white men Monday just a day after a Negro taken from the Opelousas jail told officers he narrowly escaped being lynched.

Sheriff Clayton Guilbeau said the charges had been filed against Maxile Savoy, Ariel Ledoux and Edward "Preacher" Miller. The sheriff said the three, all residents who held up a jailer and took Edward Honeycut, 22, from a cell early Sunday. Honeycut told officers he was taken to the Atchafalaya river about 30 miles from here and escaped when the three men who had brought him there began matching coins to see which one would kill him.

District Attorney J. Y. Fontenot said he was convinced that "this was an attempted lynching," and that close pursuit of the abductors' car by officers helped prevent it. He said Honeycut had been charged with rape in a case involving a white woman and was awaiting action by a grand jury scheduled to meet late this month. Honeycut, who gave himself up to a marshal in Krotz Springs, La., is now in jail in Baton Rouge for safekeeping.

Sheriff Guilbeau said he believed only the three men charged were involved in the taking of Honeycut from the jail. Reports that there were several cars of men in the neighborhood, he said, were probably caused by the officers who promptly joined in the chase.

The sheriff said bond had been fixed at $5000 for each of the men charged.

Savoy was a deputy sheriff in St. Landry for many years. He served in that capacity under former sheriff Simon Stelly and under sheriff Guilbeau until Guilbeau began his new term in 1948. Ledoux is St. Landry supervisor of the federal-sponsored veterans-on-the-farm training program and Miller is employed by a construction company in Baton Rouge.

Savoy and Ledoux had made bond late Monday.

District Attorney Fontenot said the case would be probed by the grand jury when it meets later this month. Maximum penalty for the charge is a fine of $2000 or five years in prison.

KIDNAPING IS CHARGED AFTER RAID ON JAIL

Former Louisiana Deputy One Hit in 'Lynching' Case In Louisiana

OPELOUSAS, La., March 8.—Sheriff Clayton Guilbeau Monday charged three men, including a well-to-do former deputy sheriff, with kidnaping a confessed negro rapist from the St. Landry Parish Prison for a lynching mob.

The negro, Edward Honeycutt, 25, was taken to the Atchafalaya River levee near Krotz Springs, La., early Sunday and dumped out to wait for execution. While the three leaders of the mob odd-manned coins to see who would execute him, Honeycutt jumped into the river and escaped, with bullets whistling around him.

Guilbeau filed kidnaping charges against Maxile Savoy, Aeriel Ledoux and Edward (Preacher) Miller. Savoy owns a rice plantation and was a deputy sheriff under E. J. Doucet, whom Guilbeau succeeded last Spring.

$5000 Bonds Set

Ledoux is in charge of the Veterans Administration "on-the-farm" training program in St. Landry Parish. Miller works in a factory in Baton Rouge.

District Judge Lessley Gardiner set bond at $5000 each for the three men. Savoy posted his bond and left.

The charges said nothing about an attempted lynching. After jumping into the river Honeycutt clung to a bush for four hours. A fisherman rescued him and Charles Devillier, the town marshall of Krotz Springs, rearrested Honeycutt.

Honeycutt is now held for safekeeping in the 'mob proof' East Baton Rouge Parish Prison.

Ex-Deputy 1 of 3 Held in Lynch Attempt in La.

Owner of Rice Plantation Suspect in Plot That Misfired, to Kidnap, Slay Jailed Man

OPELOUSAS, La.—(ANP) — A former deputy sheriff was among the three white men captured here last week following their kidnaping of a colored man from the parish jail with the intention of lynching him.

The kidnaped man, Edward Honeycutt, 22, saved his own life by diving into the Atchafalaya River while the would-be lynchers diverted their attention from him as they tossed a coin to determine which one of them would slay their prisoner.

Honeycutt had been placed in jail pending trial on the charge of criminally attacking a white girl.

No Lynch-Attempt Charge

The three men arrested and held in $5,000 bail, each, were Maxile Savoy, a wealthy rice plantation owner; Ariel Ledoux, local supervisor of a veterans training program; and Edward Miller, a construction company employee.

District Attorney J. Y. Fontenot stated that he was convinced that "this was an attempted lynching." However, nothing was said about that phase of the case when the kidnaping charge was lodged against the trio.

The maximum penalty for kidnaping in Louisiana is a $2,000 fine or five years in the penitentiary.

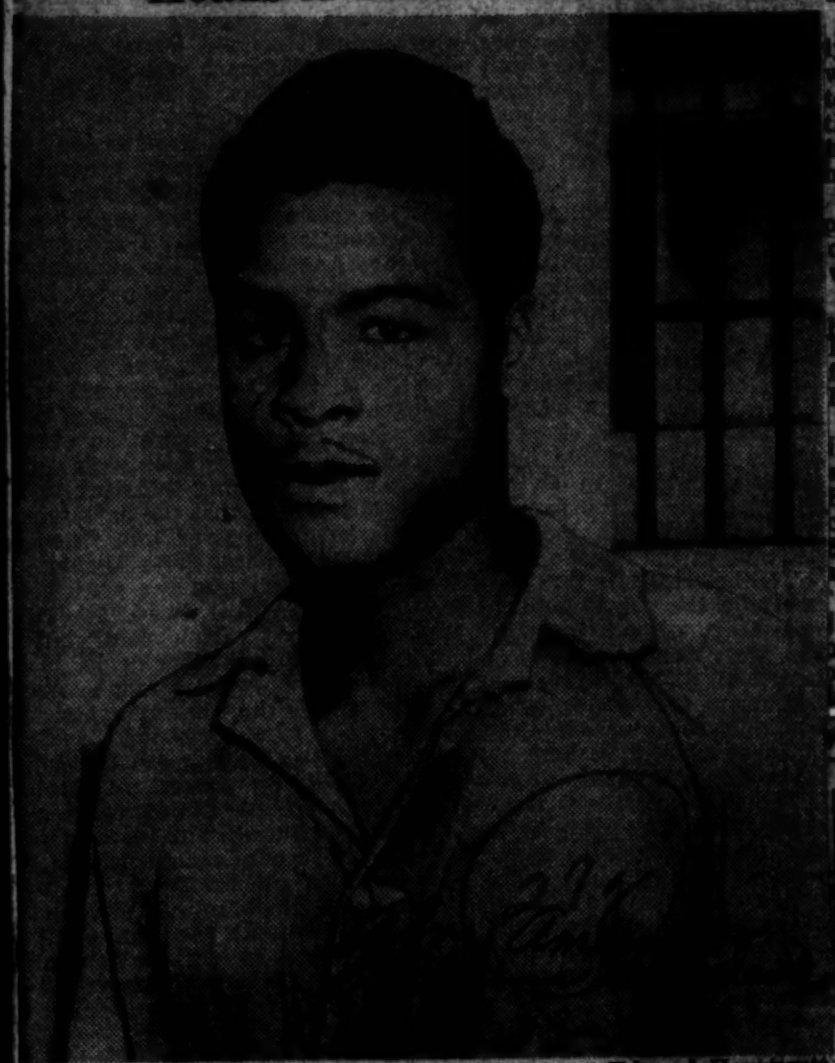
Mob Rumors Denied

After Honeycutt escaped from his abductors, he surrendered himself to a marshal at Krotz Springs, La. He told officers he had spent the night in the top of a tree overlooking the banks of the river into which he had flung himself and escaped scathless through a hail of bullets.

At first it was rumored that a lynch mob riding in many cars was out looking for Honeycutt, but Sheriff Clayton Guilbeau said that the cars seen were the property of posse members, who got together hurridly and gave instant pursuit to the jail-breaking kidnapers.

On the day after the kidnaping escapade, Sheriff Guilbeau denied knowing who the participants in the crime were; but after an unfavorable newspaper comment upon it, the arrests were made.

Heads or Tails — He Won



The time it takes to flip a coin saved the life of Edward Honeycutt, 20, in Louisiana last week. He was a prisoner in the St. Landry Parish jail when three men kidnapped him for a lynching party. They took him to the Atchafalaya River three miles near Krotz Springs and matched coins to see who would kill him. While they were doing so, Mr. Honeycutt jumped into the river. Bullets whistled around him, but he escaped unharmed and is now in the State Prison at Baton Rouge.

SAVED BY FLIP OF COIN

Lynch 'Bait' Dives Into River to Elude Captors

OPELOUSAS, La.—Saved by a flip of the coin in a would-be lynch victim's escape story. Taken from St. Landry Parish jail early Sunday by three armed white men, Edward Honeycutt, 20, says, "While they were tossing a coin to see who would kill me, I jumped into Atchafalaya River."

According to Sheriff Clayton Gilbeau, the unidentified men gained entrance to the jail on a ruse. They held the jailer Henry [illegible] at pistol point and took Honeycutt from his cell.

Placing their captive in an auto[illegible], the men drove about 20 miles West of Krotz Springs where they stopped to decide his fate. Honeycut then made his escape.

Found Clinging to Tree

He says that the men appeared nervous and didn't have time to stop until they reached the river. Police chief Kenny de Villier found Honeycut at daybreak in the river bottoms clinging unhurt to a tree.

Deputy sheriffs said that a lynching was averted because they were in swift pursuit of the captor's car. They admit however, that they have been unable to find any trace of the men or of their automobile.

Honeycut has been in jail for the past four months on a charge of criminally abusing a married white woman.

The grand jury is scheduled to hear his case sometime this month. In the meantime he [illegible] fined in the East [illegible] Parish jail for safekeeping.

"We are determined to establish the identity of the three men who attempted this lynching," Fontenot, district attorney declared. He added that there is no doubt in his mind that this was an attempted lynching.

The men gained entrance to the jail by telling a deputy that one of their group was drunk and the others wanted to leave him in jail to sober up.

Victim Made Miraculous Escape

La. Court to Try Balked Lynchers

Pittsburgh Courier 2/19/49

(From The Courier Louisiana Bureau)

OPELOUSAS, La.—Three white men charged with kidnaping in connection with the attempted lynching of Edward Honeycutt, 22, early March 6, were released March 9 on bonds of $5,000 each, Sheriff Clayton Guilbeau disclosed.

They are Maxile Savoy, a former deputy sheriff of St. Landry parish; Ariel Ledoux, a St. Landry supervisor of the Federal-sponsored veterans-on-the-farm training program, and Edward Miller, a Baton Rouge construction company employe.

Honeycutt, charged with criminally assaulting a white woman, was taken from jail here early March 6 by the three men who gained admittance by pretending one of their number was intoxicated and they were seeking to have him placed in custody of the jailer.

Honeycutt, now held in the East Baton Rouge jail, told officers he was taken from jail, placed in an automobile and driven to the Atchafalaya river about thirty miles from here. He said he escaped when the three men began matching coins to see which one would kill him.

District Attorney J. Y. Fontenot said he was convinced the affair was an "attempted lynching" and that after pursuit of the abductors by officers helped prevent it. Honeycutt, who hid in the thick underbrush near the river, after dashing away from his captors, surrendered to a Krotz Springs officer later in the day. The grand jury will hear both the rape and kidnaping cases this month.

7919

Suspect Flees As Lynchers Match Coins

Washington D.C. Mar 3-7-49

Louisiana Prisoner Dives Into River; Is Saved by Fisherman

Opelousas, La., March 6 (U.P.).—A 25-year-old Negro, kidnaped from the St. Landry Parish Prison and on the verge of being lynched, jumped into the Atchafalaya River today and escaped while the leaders of a mob matched coins to see who would be his executioner.

The victim is Edward Honeycutt, who has confessed raping a white woman three months ago. A fisherman dragged Honeycutt from the river and he was taken to the "mob-proof" prison at Baton Rouge. Authorities said Honeycutt was not harmed, but they refused to let anyone talk to him.

Sheriff Martin Guilbeau said there were two "and maybe three" automobiles filled with men in the mob that abducted Honeycutt. Guilbeau and a posse were so close on their heels that the kidnapers had to flee without looking for Honeycutt when he escaped.

Enter Jail by Ruse

An elderly jailer was tricked at midnight Saturday into letting three men snatch Honeycutt from the steel-and-stone jail on the top floor of the three-and-a-half story courthouse building.

Three men came up in an elevator. Two of them complained to Jailer Henry Landry that their companion was drunk and making a nuisance of himself. They said they wanted him locked up.

When Landry opened the steel door from the elevator entrance one of the men smashed him across the arm with a pistol and another grabbed his keys.

By the time help was mustered, the men had taken Honeycutt away.

Posse Chases Mob Mar 3-7-49

The posse chased the mob to a bridge across the Atchafalaya River near Krotz Springs.

Honeycutt was dumped on the low levee and three members of the mob started matching coins to see which one would shoot him. As they matched and argued Honeycutt dvied into the river, 120 yards wide at that point.

Honeycutt clung to willows along the bank for four hours until the fisherman helped him out.

RIVER SAVES A NEGRO AS MOB TOSSES COINS

Memphis Commercial Appeal Mar 3-7-49

Louisiana Law Steps In After Asaulter Is Abducted

Memphis Press Scimitar

THEY WANTED TO KILL—

By The United Press

OPELOUSAS, La., March 6.—A 25-year-old negro, kidnapped from the St. Landry Parish prison and on the verge of being lynched, jumped into the Atchafalaya River Sunday and escaped while the leaders of a mob matched coins to see who would be his executioner.

The negro is Edward Honeycutt, who has confessed that he raped a white housewife in front of her two babies three months ago. A fisherman dragged Honeycutt from the river, and he was rearrested by Marshal Kenneth Devillier of Krotz Springs, La.

Brought Back

St. Landry Parish authorities had him brought back Sunday night and were holding him in the "mob-proof" East Baton Rouge Parish prison at Baton Rouge, the state capital. They said Honeycutt was "not harmed," although they refused to let anyone talk to him.

Sheriff Martin Guilbeau of St. Landry Parish said there were two "and maybe three" automobiles filled with men in the mob. Gilbeau and a posse were so close on the heels of the mob that it had to flee without looking for Honeycutt when he escaped.

An elderly jailer was tricked at midnight Saturday into letting three men abduct Honeycutt from the steel-and-stone St. Landry Parish prison, also supposed to be mob-proof. The pail is on the top floor of the three-and-a-half story courthouse building.

By the time Guilbeau had mustered out his deputies, the three men had taken Honeycutt and gone. There were some blood spots in the elevator.

They Chased Mob

Guilbeau quickly organized a posse of his deputies and state troopers. They soon struck the trail, and chased the mob to the Highway 90 bridge across the Atchafalaya River near Krotz Springs. Mem 3-7-49

Honeycutt was dumped on the low levee, and three members of the mob started matching to see which one would shoot him. It was then that Honeycutt dived into the river, 120 yards wide at that point. The mob made a quick search for him and then fled, with Guilbeau's posse close behind.

Honeycutt clung to some willows along the bank for four hours—it was 2 a.m. when he escaped—and a fisherman identified only as

"Blackie" helped him out and gave him a change of clothes.

Kipnaped Negro Flees; 3 Abductors Jailed

Montgomery Advertiser Jun 3-8-49

Montgomery, Ala. Jun 3-8-49

Opelousas, La., March 7.- (AP)- Filing of kidnaping charges against three white men was announced today, just a day after a Negro taken from the Opelousas jail told officers he narrowly escaped being lynched. Jun 3-8-49

Sheriff Clayton Guilbeau said the charges had been filed against Maxile Savoy, Ariel Ledoux, and Edward Miller. The sheriff said the three held up a jailer and took Edward Honeycut, 22, from a cell early yesterday.

Honeycut told officers he was taken about 30 miles from here and escaped when the three men began matching coins to see which one would kill him. Jun 3-8-49

La. Youth Taken From Jail, Escapes Lynch-Abductors

The Daily Worker N.Y. Jun 3-9-49

Dives Into River

As Men Flip Coins

For Toss Privilege

OPELOUSAS, [illegible] (ANP)—Edward Honeycutt, [illegible]-year-old convicted attacker of a farmwife, escaped lynching after three white men abducted him from the St. Landry parish jail.

According to Sheriff Clayton Guilbeau, the unknown abductors arrived at the courthouse shortly after midnight and rode the automobile elevator to the fourth floor where the jail is located. They persuaded Jailer Henry Landry to open the door by telling him they had a drunken man with them who should be locked up. When Landry opened the door the threatened him with guns. [illegible] search for the would-be lynchers

Rouge jail for safe[illegible]. Honeycutt was arrested [illegible] after he allegedly forced his way into a farmhouse [illegible] and raped the woman in a bedroom while her small children watched. He signed a confession admitting his guilt, the sheriff said. If found guilty, he faces a mandatory death penalty.

The victim, however, said that several hours later, he escaped by driving into the flood swollen Atchafalaya river and swimming underwater while bullets pattered around him. He said he made the break when the kidnapers were flipping a coin to see which one would toss him into the river.

His hands had been bound behind him with a leather belt, but he was able to work them loose without his captors knowing it.

He was found by Adon Deshler, white fisherman, at dawn clinging to a tree in the river 20 feet from shore near the village of Krotz Springs. The fisherman rescued Honeycutt, who was by then naked and exhausted. He was taken to [illegible] given clothing and turned over to a constable.

The sheriff, who led a fruitless search for the would-be lynchers

27g 1949

Mexico

7920

American Escapes Lynching In Mexico

MEXICO CITY (INS)—Mexican police guarded Robert Bohme, of (1827 Broderick Street) San Francisco, from a threatened lynching as the result of a shooting affray in Tlapujahua, in the state of Michoacan, Tuesday in which three Mexicans were killed and one wounded.

Bohme was suspended from the rolls of the joint Mexican-American hoof and mouth disease commission pending an inquiry, although a preliminary probe brought the opinion from investigators that Bohme may have been "framed."

He was moved from Tlapujahua jail to the prison in Morelia "for his own safety" after the lynching threats were made.

Bohme was accused of inspiring the shooting in the bar of a hotel although not firing any shots personally.

27g 1949

Mississippi

7921

STOUT-HEARTED SHERIFF STAVES OFF MISS. MOB

HOUSTON, Miss. —(BNS)—A 35-year-old accused attacker narrowly averted being lynched at the hands of an angered Mississippi mob. Sheriff Robert T. Bryant foiled a plot to release Robert Lee Gates, who reportedly admitted attacking a woman early Sunday at Houlka.

Gates is lodged in a secret jail after escaping the lynch-mob which was indentified as a "number of armed men."

It was the third outbreak of violence in Albama and Mississippi in the past four days. Klu Klux Klan stormed the home of a Mrs. Hugh McDanal, near Birmingham and threatened Steve Marshler, a cafe operator in Brookside, a community of Jefferson County.

The pattern of violence continued in Memphis, where six law officers are on trial in Federal Court charges with having deprived a Negro prisoner of his constitutional rights.

Sheriff Bryant in preventing the lynching of Gates told how a number of armed men came to the jail, but he out-talked them, by telling that he had a number of suspects but did not have the guilty one at that time.

As a result of the arrest of Gates, five other suspects believed to be Negroes have been released. The crime was traced to Gates through two buttons found at the scene.

At the arrested man's home officers are reported to have found a coat with two missing buttons and some bloodstained garments.

Gates is alleged to have confessed when confronted with this evidence.

The woman involved in the rape attack, whose husband is listed as being in Japan, said the suspect was loitering outside her home when she returned from visiting friends.

The man is said to have grabbed the attack victim's arm and said "Let me walk to the house with you. After the woman screamed she was threatened with death.

The six officers on trial in Memphis are accused by John Wesley Scott of having beat him so badly he lost an eye. He indentified Charles P. Forbes of Tipton County and City Marshal Robert Gift in connection with case.

Scott is now serving a 3-7 year sentence for housebreaking. In his complaint Scott states he escaped the Tipton County jail, hitting a guard with a broom handle, while

The beating came after being awaiting trial.
captured in December 1947.

Crime Roundup—

Woman Is Attacked, Man Nabbed, Spirited Away To Secret Jail

HOUSTON, Miss., June 14—(AP)—A man, charged with raping a soldier's wife here, was in a secret jail today after a deputy sheriff cooled off aroused citizens.

"I got the work this out," Chief Deputy Sheriff T. A. Bryant, of Chickasaw County, said he told angry men after the arrest during the week-end.

He said a coat button found at the scene was a clue that led to the arrest and charges involving Robert L. Gates, 32, of nearby Houlka. The small town is in Northeastern Mississippi's cotton and corn area.

The officer said no threats or mob action ever developed.

The woman told authorities she was attacked on a dark, lonely street. She is the wife of a soldier stationed in Japan.

27g 1949

New Jersey

7922

Berserk Ex-GI Kills 12, Hurts 4 In New Jersey

Police Call Slaughter Worst Murder Spree In American History

CAMDEN, N. J., Sept. 6—(AP)—A Bible-reading ex-GI slaughtered 12 persons along a busy Camden street today.

Deliberately, without speaking a word, 28-year-old Howard Unruh stalked from door to door on shop-lined River Road, firing his German Luger pistol with deadly accuracy.

Four other persons cut down in the murderous hail of bullets were taken to a hospital. Five but wounded. Unruh himself was shot in the buttock.

Worst In U. S. History

Police said it was the worst street murder spree in U. S. history.

"It was like wartime," said Frank C. Benson, 28-year-old war veteran.

"The street looked like a battlefield," said Detective Marshall Thompson. "River Road was littered with dead and dying."

Unruh, his supply of 33 bullets exhausted, returned to his home, barricaded himself in a second floor room and shot it out with 50 policemen.

Tear gas smoked him out 45 minutes after he had fired the first shot. He surrendered as quietly as he had killed.

An angry mob surged toward the police cordon guiding Unruh to a waiting patrol wagon.

"Lynch him," the mob roared. "Hang him now."

But they didn't break through the police lines.

Killer Is Wounded

It wasn't until three hours later that police learned Unruh had been wounded.

That came after two and one-half hours of questioning by County Prosecutor Mitchell Cohen. Then the prisoner was taken to a hospital.

The prosecutor said Unruh told him the killings were part of "a preconceived plan."

Unruh was charged with murder. Psychiatrists examined him, but Cohen declined to disclose their report.

In his oral statement to police, Unruh said his neighbors—the druggist, the barber, the shoemaker, the tailor—"had been talking about me for some time and making derogatory remarks about my character."

Not On Spur Of Moment

"I had been thinking about killing them for some time," Cohen quoted him as saying.

"Last night I went to a theater in Philadelphia, sat through several shows and came home about 3 a.m. I made up my mind to kill them this morning."

In his room police found what Detective Marshall Thompson called an "arsenal of weapons," guns, knives and clubs. A target range and bullet-making equipment were in the basement of the building.

Bible Was Thumb Worn

On the bed, a thumb-worn Bible was found open at Chapter 24 of the Gospel According to St. Mathew.

The passage reads:

"And ye shall hear of wars and rumors of war: see that ye be not troubled: for all these things must come to pass but the end is not yet."

The victims of the shooting were: Thomas Hamilton, 2; Orris Smith, 6; Mrs. Helga Zegrino, 28, a bride of one month; James J. Hutton, 45, an insurance agent; Clark Hoover, 33, barber; John P. Pilarchik, 27, a cobbler; Alvin M. Day, Jr., 24, a television serviceman; Maurice Cohen, 40, druggist; Mrs. Rose Cohen, 38, wife of Maurice; Mrs. Minnie Cohen, 63, mother of Maurice; Mrs. Emma Matlack, 60; Mrs. Helen Wilson, 43 daughter of Mrs. Matlack.

Wounded were: Mrs. Madeline Harrie; Armand, 16, her son; Charles Peterson; John Wilson, 18, son of Mrs. Wilson.

7923

At The Local Level

Montgomery Advertiser

New York police are to be commended for the prompt and effective manner in which they prevented a lynching on July 4. Undoubtedly their action reflected the will of the better element of New York. It is encouraging evidence that the North can solve its law enforcement problems through resolute officers backed by public opinion.

Montgomery, Ala.

According to an AP dispatch the hear- victim of the mob was a hit-and-run driver who ran over a boy, breaking his leg. An angry mob of 200 East Siders assembled, with cries of "Lynch him!" They got the man down and were beating and stomping him. But the police arrived in time.

They rescued the man and fought their way back with him to a police station. His face and body were covered with cuts and bruises.

Sheet. 7-7-49

The mob of 200 persons of course represented but a minute fraction of New York's population. We should not let their action lead us to believe that a majority of New Yorkers, or any substantial part of them, habitually participate in lynchings or approve or condone them.

The incident shows that New York is capable of coping with mob violence, though the account said nothing about arrests or prospective prosecutions. No need is indicated for a congressional probe or other federal intervention.

Lynch Mob Thwarted

279 N.Y.

PINE ISLAND, N. Y.—(AP)—A crowd of about 20 men threatened Friday night to lynch a Negro itinerant farm worker who allegedly had taken $509 in a scuffle with a 60-year-old woman taxi driver.

The men streamed out from taverns and a hotel here when the Negro was captured after the cab was wrecked.

But State Troopers arrived and quickly took him into custody before the crowd got out of control.

The money was recovered as well as a knife with which the farm worker, Junior Boddiest, 20, allegedly threatened the cab operator. Addie Rysinger, 60, cab driver.

Boddiest, of Goshen, N. Y., suffered bruises and cuts from her struggle with Boddiest in her car. The car, a 1941 Chevrolet, was completely wrecked.

Boddiest was arraigned at Monroe before Magistrate William Conklin on a first-degree robbery charge, then taken to the Orange County jail at Goshen. Police said his record showed that he had served eight months of a 20-year sentence for armed robbery in Florida State prison and had escaped.

Cop Rescues Two Whites From Mob

Sheet. 7-7-49

YONKERS, N. Y.—A Negro patrolman off duty, rescued two white officers from an enraged mob of 400, here Saturday, after one of the officers had shot and killed a bar patron.

Sheet. 7-7-49

The police hero is Stewart Freeman, who was promoted to detective as a result of his action. The trouble started when two officers dispatched to the bar to quell a disturbance, were attacked by Thomas Wilson, 35.

Wilson took a nightstick from Officer Francis Porach, and opened a wound in his scalp that required eight stitches. The other officer, Allison Hopper, claimed he fired when Wilson attacked him.

A crown of 400 was menacing the officers when Freeman fought his way through to the center of the throng, and quieted them with alternate threats and pleas.

Mob Beats Three Men Who Tore Nuns' Clothes

Sunday Mirror, Oct. 16-49

NEW YORK, Oct. 15—(AP)—Three men who tore the habits of two nuns outside a Lower East Side public school today were beaten to the ground by an angry crowd.

Oct. 15-49

A police emergency crew rescued the trio from the punching and kicking crowd. Bleeding and bruised, the men were taken to a police station.

The nuns were Sister M. Immaculata Sereni, superintendent of the Our Lady of Loreto Day Nursery, and Sister M. Petronilla of the nursery staff.

N.Y.

They were about to enter the school to register for the Nov. 8 election when they were molested.

Police said the men identified themselves as John Garvey, 52; John Morgan, 42, and Matthew McKeon, 43. The men do not have homes, police said.

Detectives said they had not learned the reason why the three bothered the nuns. The hoods of the two sisters were torn.

. . . A lynching was narrowly averted at Pine Island, N.Y., when Junior Boddiest, 20, was rescued by policemen. He had been accused of beating and robbing a 60-year-old woman cab driver of $509. . . . The first mixed jury in Lincolnton, N.C., gave Mrs. Frances Ward five months for larceny.

Sheet. 10-19-49

7924

Randolph Jail Search

The crowd of 300 persons, including some wearing masks, who "swarmed up to the Randolph County jail . . . to question Negro suspects in a case involving the murder of a white man were engaged in a dangerous enterprise directed against the foundations of law and order.

Twenty of them were let into the jail by the jailer, and they searched the jail. They did not find the man they were looking for and left after questioning two witnesses.

The question remains: What would they have done if they had found the man they suspected of the murder?

They were not paying a social call. They should not have been let in. Mobs are not always choosy, and if they cannot find the exact person they want they often take a substitute. The jailer's business is to keep them out. It is also the business of all the forces of law in the community.

As it happened, Randolph County was lucky. It might have suffered the same blot which attached to Northampton County where a miniature mob made a jail delivery but let their suspect escape. Or it might have been far worse.

Lynchings or near-lynchings are serious business. Defendants in jail are entitled as citizens of the United States to the full protection of the law. Unauthorized visitors who might turn out to be lynchers must be kept out of the jails. A jail entrance by threats, actual or implied, is wholly intolerable. The Piedmont must not do those things for which it roundly and justifiably denounces other parts of the South for doing.

Negro Offered Bribe Not to Testify Against White Kidnapers

SALISBURY, N. C. — (ANP)— Alex Brown, 50-year-old Negro recently kidnapped by three white men, revealed this week that a mysterious white person had offered him a $2,000 bribe not to testify against them. Deputy Sheriff W. K. Rickard said Brown had been taken to jail here on his own request for safekeeping.

Three whites, William Edgar (Charlie) Hoover of Randolph county, Elroy Vinson Lynch of Randolph county and Saunders Sheppon of Montgomery, are being held on bonds of $2,000 each. Two white women also are being held on bonds of $500 each on charges of aiding a kidnapping.

Brown said they took him for a ride several weeks ago after asking him about two cases of moonshine whiskey which he said he knew nothing about.

Police Save White Man From Lynching By Enraged Blacks

WINSTON-SALEM, N. C.—(ANP)—A white cafe operator who shot point blank into a group of Negroes, wounding a woman to the hospital, was barely saved from a lynching last week when police officers of both races arrested him and carried him to safety from a raging group of Negroes.

The operator, O. L. Werst, is charged with shooting Miss Hattie Cook in the head. She is now in a local hospital with a fractured jaw and other head injuries.

According to witnesses, a group of 15 entered the white man's cafe, mistaking it for the scene of a dance which took place next door. Mrs. Werst told police that she warned her husband that the Negroes had entered their apartment.

White Faces Negro Mob

WINSTON-SALEM, N. C. —The cry of "hang him," was in the exact reverse of Dixie custom here last week when 500 irate Negroes threatened to hang a white man for shooting a young colored woman.

The fireworks started when 15 Negroes walked into the back of O. L. Werst's cafe operator, thinking the place a part of an adjoining dance hall.

Werst ordered the group out then fired a shotgun into the crowd, striking Miss Hattie Cook.

Within a few minutes approximately 500 Negroes had gathered in front of the building. When police arrived and arrested Werst, the mob receded allowing the law to take its course.

7925

Good And Bad News From North Carolina

THE good has to be mixed with the bad, apparently. Out of North Carolina this week came two items of great and disturbing contrast. First, there was Governor-elect W. Kerr Scott's reiteration in an interview with the Journal and Guide, of an earlier declaration that Negroes should have—and would get—better representation on state boards and commissions.

Then there came news of the near-lynching of a slaying suspect at Asheboro, N. C. We hope there is a strong judge there who'll take the kind of action against the Asheboro jailer as did the judge at Jackson, N. C., in the Bush case. At Jackson the judge ordered the arrest of the jailer and verbally flayed him for his dereliction of duty, or worse.

The action of the jailer at Asheboro in permitting 20 mobbists to enter the jail can be rationalized in several ways—but it cannot be justified either legally or morally. A blood-thirsty mob, denied the victim it sought because he had been spirited to another jail, could very easily take its vengeance on others guilty only of being also colored.

We hope the North Carolina authorities get at the bottom of the Asheboro near-lynching and act in a way to stiffen the backbones of jailers generally.

7926

Officers Save Youth From Mob

CONWAY, S. C.—A man accused of shooting a white boy was rushed to the Conway jail for safekeeping last week after a mob of 150 whites at Aynor had demanded that officers turn him over to them.

An armed posse of more than 100 men with bloodhounds conducted a wide spread search for Samuel Green, colored, in the shooting of 16-year-old Richard Robert, son of a white family near Aynor.

Green indicated that he shot in self-defense.

Murder Suspect Whisked Away For Safekeeping

COLUMBIA, S. C.— (INS) — A 32-year-old South Carolina colored man charged with slaying a Walterboro, S. C., policeman, was held today at the state prison at Columbia for safekeeping.

Authorities rushed the suspect, James Wilson, to the penitentiary after a crowd of about 300 men gathered at the Walterboro jail.

Sheriff G. Haskell Thompson said there was no attempt to prevent officers from taking Wilson from the jail for the transfer to Columbia.

Wilson was named in the fatal stabbing of Officer M. C. Nettles, 62. Nettles was stabbed while arresting him on a charge of drunkenness. The aging officer lived long enough to notify other officers and a search party was quickly organized to find Wilson.

Man Rushed To Safety In Shadow Of Carolina Mob

COLUMBIA, S. C.— Apparently due to the quick thinking and desire of police officials to protect their prisoner, James Wilson, 38 of Bluffton is alive today after being placed in safekeeping in the State Penitentiary, according to reliable sources released here this week.

It was reported that Wilson was rushed to the State prison for protection following an incident that caused the fatal stabbing of a Walterboro policeman, which took place the week before Christmas Eve.

Police officials in the small Carolina town became alive with alertness when more than 300 "outsiders" crowded into Walterboro, apparently bent on starting trouble after learning of the incident involving the death of the policeman.

Sheriff G. Haskell Thompson, made the report that officers in Walterboro were able to "sneak" their prisoner through the ranks of his alleged angry crowd to safe grounds without any trouble in the nature of mob violence.

The victim of the stabbing was reported as being officer M. C. Nettles about 62 years old, who died of stab wounds Friday night following an incident involving the arrest of Wilson on a charge of drunkenness. According to reliable reports, Nettles was able to notify officers who immediately organized a widespread hunt for Wilson, reported hiding away in the woods at the time.

Wilson was later arrested by officers after bloodhounds had been rushed from Columbia to assist in the search.

Apparently realizing that the prisoner would not be safe in Walterboro, he was rushed to Columbia and later placed in the State Penitentiary where he is reported as being held for the fatal stabbing of the Carolina policeman.

S. C. Town Is Aroused Over Slaying Of Negro

WALHALLA, S. C.—Two white men arrested in Charleston, in connection with the murder of 69-year-old Manuel Rice, a respected Negro farmer near here, are being held in state penitentiary at Columbia for safe-keeping.

They were not returned here because police feared mob violence from white people aroused over the brutal slaying.

One of the alleged killers, Leroy Parker, 22, of this city, told the Charleston police that he and his partner James D. Lawing, 26, committed the murder so they could rob the old man. Lawing flatly denied Parker's statement, police said.

With demands for their arrest at fever heat last week, police, acting on a tip, seized the two men in a restaurant 10 miles north of Charleston. A stolen car in which they rode was parked outside of the place at the time.

ON SPENDING SPREE

A spending spree gave them away. Investigators said they first hired a cab from here to Greenville, a distance of 45 miles, and later took another cab 220 miles to Charleston.

At Greenville the pair is reported to have tossed $20 bills around and were said to have given a waitress $100 in tips telling her to keep the change from $20 bills they bought food with on several occasions.

Rice was shot to death in his farm home near Walhalla two weeks ago. They entered his home, shot him and took his money belt containing $315, Parker admitted, police said.

SAW RICE SELL COTTON

Parker told Chief Julian Williams at Charleston that he was working at a filling station in Walhalla when Rice, who had sold a bale of cotton hauled a load of wood to the station. Knowing that the aged farmer had money from the cotton, Parker borrowed a shotgun, he told Chief Williams, and went to Rice's home that night.

When he entered the place, Rice, Parker told police, leaped from his bed and started toward him. Parker said he fired and then took the money belt and fled warning Rice's 14-year companion, Henry Davis, a farm helper, not to get up or he would be killed. Young Davis said another man was with Parker at the time.

7927

Beaten Body Of Frail Farm Widow Found; Apparently Raped

COLUMBIA, Tenn., Sept. 22—(AP)—The body of a frail, aged widow was found last night hours after she apparently was brutally attacked while milking a cow.

Sheriff Flo Fleming said two suspects, both Negroes of the Nebo community where Mrs. O. C. Brown, 65, lived, were arrested and held for questioning.

* * *

FLEMING SAID THE body was found by Stockard McBride, a neighbor of the farm woman, in a ravine to which it had been dragged. He said Mrs. Brown had been raped and beaten about the head with a blunt instrument.

Fleming said he though the attack occurred about 4 p.m. yesterday while the woman, who lived alone, was milking a cow at the barn near her house. Her straw hat and a pair of shoes were found nearby.

The body was found about 300 yards from her home after a search. A daughter of the victim tried to reach her by phone early in the evening, leading to the search for her.

Fleming said the Negro was brought to the county jail here, about eight miles from the Nebo community, while a search went on for the weapon involved.

Lynching Feared

COLUMBIA, Tenn., Sept. 24—(AP)—A 25-year-old Negro held in the rape-slaying of a frail white widow has been taken to the Davidson County Jail at Nashville to avert possible mob violence.

Sheriff Flo Fleming said Steve Paul Lacey was removed from Maury County Friday night after he signed a statement that he raped and killed Mrs. O. C. Brown, 67, at her farm home near here Wednesday night.

The body of Mrs. Brown, who lived alone, was found in a ravine about 300 yards from her home late Wednesday night.

Lacey was arrested a few hours later.

The sheriff quoted the statement as saying Lacey went to Mrs. Brown's home to rob her, but that she had no money, so he raped and then beat her to death to keep her from reporting the assault.

"I was afraid of what might happen with people coming to town on Saturday," Fleming said. He added that Lacey was hurried out of town on the floor of a police car before the signing of the statement was reported.

Lynch Fear Makes Sheriff Move Suspect

COLUMBIA, Tenn. — Sheriff Flo Fleming, Saturday, disclosed that he had transferred Steve P. Lacey, 25, accused of the attack-slaying of a 67-year-old white woman, from Maury County to the Davidson County Jail in Nashville on the previous night, to avert possible mob violence.

The sheriff stated that he spirited the prisoner out of own on the floor of a police car after Lacey had signed a statement that he had criminally attacked then killed Mrs. O. C. Brown at her farm home near here on Wednesday night.

Even before he signed the statement, Fleming declared, feeling was running high against Lacey.

Questioned for 2 Days

"I was afraid of what might happen with people coming in on Saturday," the sheriff continued, pointing out that the prisoner had been hurried out of town before the signing of the statement was reported.

Lacey was arrested a few hours after the body of Mrs. Brown, who lived alone, was found in a ravine about 300 yards from her home late Wednesday night. He denied the slaying until Friday night, when, it was stated, he admitted the deed.

Sheriff Bolsters Case

According to the sheriff, Lacey said he went to Mrs. Brown's home to rob her, but that she had no money, so he criminally attacked her and then beat her to death to keep her from reporting the assault.

In an effort to further build up the case against the prisoner, who will be charged with rape and murder, the sheriff added that he (Lacey) had led officers to a field where he had hidden some of Mrs. Brown's undergarments.

Fearing Mob, Negro's Attorney Asks Venue Change

COLUMBIA, Tenn., Oct. 13—(AP)—A motion for change of venue for fear of "mob violence" was up for consideration in Circuit Court today in the case of a Negro charged with the criminal assault and murder of an aged white woman. Joe Henry, Jr., Pulaski, Tenn., attorney appointed by Judge Joe M. Ingram to represent Paul Lacy, accused in the bludgeoning of Mrs. O. C. Brown, 67, Sept. 21, asked that the trial be removed to Nashville 40 miles to the north. The defendant has just cause to fear mob violence," Henry said.

Courthouse Attempt To Attack Rape-Slaying Suspect Foiled

Columbia, Tenn., Oct. 19 (AP)—Fist-swinging state highway patrolmen today blocked an attempted attack on a Negro charged with the rape-slaying of an elderly white woman.

The attack occurred as highway-patrol guards brought Paul Lacy, 38, into the Maury County Courthouse from Nashville, where he was taken last night for safekeeping.

State Highway Patrol Capt. J. J. Jackson said a man jumped from behind a column on the ground floor of the Courthouse as the handcuffed Lacy walked past between guards.

100 Surge Forward

Patrolmen knocked the man to the floor, but a crowd of some 100 persons surged forward, some of them crying, "Get him! Hang him," Jackson reported.

Jackson said he rushed Lacy to the third-floor lock-up while patrolmen blocked the two flights of stairs leading to the upper floors of the Courthouse.

Judge Joe M. Ingram convened court shortly thereafter, and selection of a jury was completed this afternoon. Ingram then adjourned court until tomorrow, and patrolmen took Lacy back to Nashville for overnight safekeeping.

Lacy is charged with both rape and murder in the bludgeon death of Mrs. O. C. Brown, 67-year-old widow, on her farm near here September 21.

Cops Repulse Mob Attack

Tennessee Crowd Attempts To Take Negro From Law

COLUMBIA, TENN., Oct. 19—(AP)—Fist-swinging state highway patrolmen today blocked an attempted attack on a Negro charged with the rape-slaying of an aged white woman.

The attack occurred as highway patrol guards brought Paul Lacy, 38, into the Maury County courthouse from Nashville, where he was taken last night for safekeeping.

State Highway Patrol Capt. J. J. Jackson said a man jumped from behind a concrete column on the ground floor of the courthouse as the handcuffed Lacy walked past between guards.

Patrolmen knocked the man to the floor, but a crowd of some 100 persons surged forward, some of them crying, "Get him, hang him," Jackson reported.

Jackson said he rushed Lacy to the third floor lock-up while patrolmen blocked the two flights of stairs leading to the upper floors of the courthouse.

Lacy is charged with both rape and murder in the bludgeon death of Mrs. O. C. Brown, 67-year-old widow, on her farm near here Sept. 21.

Convicted In Slaying, Man Whisked Away As Lynching Feared

NASHVILLE, Tenn., Oct. 22—(AP)—A convicted Negro rape-slayer, whisked away from the Columbia, Tenn., courthouse Friday to avert possible mob violence, faces death in the electric chair at state prison here Nov. 25.

Paul Lacy, 38, was locked in a cell at the prison here Friday night, only a few hours after he was convicted and sentenced to death for the bludgeon slaying of Mrs. O. C. Brown, 67-year-old white widow at her farm home near Columbia last Sept. 21.

Minutes after Lacy was sentenced a strong squadron of state highway partolmen hurried him from the crowded courthouse by way of a little-used side door. He was quickly placed in one of several patrol cars which sped away from Columbia's court square.

Warned of a possible attempt to intercept the patrol cars and lynch Lacy, State Director Sam Neal led the motor caravan to Nashville by a roundabout route.

* * *

FEELING HAD BEEN running high in Columbia since the trial opened Tuesday and Neal had 48 patrolmen on duty in and around the courthouse during the final session Friday.

Mob Threatens Farmhand Who Confessed; Convicted in 13 Minutes

Widow's Son Threatens Prisoner, Incites Crowd; 58 Officers, Helicopter Drafted

COLUMBIA, Tenn., Oct. 19—Extraordinary precautions by state and county police officers last week thwarted plans by a local mob to lynch Paul Lacy, 38, a farmhand, before and after he was convicted of criminally assaulting and killing an aged white farm widow Lacy, who confessed his Davidson county jail cell confession to the double slaying against Mrs. O. C. Brown, 67, of Mount Nebo near here last Sept. 21, was found guilty by an all-male white jury in only 13 minutes.

Extraordinary defense attorneys said no appeal will be filed in the case.

Lacy was rushed away from the Courthouse immediately after sentence was pronounced to the State prison in Nashville by an indirect automobile route.

58 Officers Keep Guard

During the final stages of the one-day trial, Lacy was guarded by 48 state highway patrolmen and 10 county officers.

The public square on which the courthouse stands was seething with mob activity Friday morning before Lacy was sentenced, and patrol cars lined the curb.

All seats on the main floor of the courtroom were taxed and a few colored spectators sat in the balcony. Several hundred perspectators sat in other parts

Sam Neal, State commissioner of safety, said inclement weather Baker Brown, a forced cancellation of his plan to land a helicopter on the court. A mob formed quickly but was dispersed. No charges have been placed against Brown.

it was inspired by the officers and disarmed as he shouted, "Hang him, kill him!"

house roof and fly the prisoner out to safety if the mob's plan to overpower the officers had succeeded. He said a Tennessee Valley

Brown was thrown to the floor

authority helicopter was awaiting at the nearby airport for instructions by radio.

Lynching Tip Received

The safety commissioner revealed that he developed the extraordinary plan to fly the prisoner out of the mob's reach after receiving an anonymous tip that he would be lynched Friday.

He expressed deep concern about the attempt of the dead widow's son to take Lacy's life and recalled that Columbia was the scene of a bloody racial outburst in 1946 when colored citizens were terrorized and a suspect was killed in jail.

Two hundred and three colored and 47 white persons have been lynched in Tennessee between 1883 and 1947

New Violence Sweeps Dixie

ATLANTA—A new wave of violence added to the long list of indignities perpetrated against Negroes in the South as a mob attempted to lynch an accused slayer in Columbia, Tenn., scene of the bloody riots in 1946, and planes, bloodhounds and a posse of 500 tracked down and shot an escaped convict in Auburndale, Fla.

In Columbia, memories of the infamous Columbia race riot were rekindled last week when a mob of hoodlums attempted to attack a convicted Negro murderer in the courthouse here.

A near-riot was precipitated on Oct. 21 when State Highway police were forced to beat off a man who jumped from behind a column of the courthouse as the handcuffed Paul Lacey, 33, the slayer, walked between two guards. Patrolmen knocked the man to the floor as a crowd of some one hundred persons surged forward yelling, "Get him! Hang him"!

BLOCK STAIRS

State Highway Patrol Capt. J. J. Jackson said he rushed Lacey to the third floor lockup, while patrolmen blocked the two flights of stairs leading to the upper floors.

Lacey was taken back to Nashville for safekeeping after court was convened and a jury selected. Lacey was later convicted of the bludgeon murder of Mrs. O. C. Brown, but was not tried for rape.

RECEIVE THREATS

As feeling mounted in Columbia, police had arranged for a helicopter to fly Lacey to Nashville after receiving threats of mob action last Thursday, but rain forestalled the plan. Lacey was hurried out of town by automobile.

Except for the courthouse skirmish, no violence was reported.

• • •

At Auburndale, Fla., three airplanes, bloodhounds and 500 armed police and private citizens were required to track down and shoot a Negro ex-convict after a two-hour search.

Jesse Donaldson, 38, accused of wounding a Lakeland, Fla., city patrolman last week, was shot down in a wooded area near Auburndale last Wednesday night. Donaldson was wounded in the shoulder and legs.

Due to the mounting tension in the city, Donaldson was taken to a Bartow hospital.

Devise New Trick

Copter Lifts Victim Beyond Mob's Reach

COLUMBIA, Tenn.—Only bad weather last Friday prevented state authorities from using a brand new device to foil lynchers—a helicopter.

The plan was to whisk Steve Paul Lacey away from the courthouse roof immediately after the trembling farmhand was sentenced to death in a speedy trial for the September 21 rape-slaying of Mrs. O. C. Brown, 67, of Mount Nebo.

However plans were changed at the last minute and he was taken away from the scene to the penitentiary at Nashville in an automobile under a guard of 48 state highway policemen and 10 county officers.

State Commissioner of Safety Lynn Nea[illegible] in 100% precautionary measures, and originally had the helicopter idea in mind, when he received an anonymous tip that the farmhand would be lynched after the trial.

The helicopter's pilot, Maceo Chevalier of Swanton, Vt. informed the Commissioner that the brisk breeze which was blowing about noon Friday would make the landing take-off from the courthouse roof extremely dangerous.

The plan was not wholly abandoned until it started to rain and the all-white male jury deliberated 13 minutes and returned their verdict.

Lacey was then sentenced to death by Judge Joe M. Ingram who presided at the trial of more than a score of Negroes involved in the famous riot that shook this town in 1946.

The only outbreak during the four-day trial occured Wednesday when Baker Brown, son the slain woman, leaped out from behind a large stone with a gun as policemen were taking Lacey to the courthouse. He was overpowered, but no charges were lodged against him.

Chicago, Ill.
Defender.
Sat. 10-29-49

Tenn. Police Foil Lynching

SPRINGFIELD, Tenn.—Will Henry Wilson, age 19 said by police to be a former convict, was in jail undisclosed jail after police thwarted a mob bent on lynching.

Police Sgt. Johnnie Walling said Wilson was taken from the jail here Saturday after a large crowd assembled after his arrest.

Police stated that Police Chief Charles Ealey shot Wilson in the hip while [illegible] him on charge of having attempted to rape two women.

7929

Girl, 9, Slain, One Molested In Sex Attacks

Birmingham Post 4-12-49

Separate Cases Occur In Birmingham Area; No Connection Seen

BIRMINGHAM, ALA., April 11—(AP)—A nine-year-old girl was slain and another, four, was subjected to indignities in separate crimes in this area today.

Sheriff Holt McDowell said both were undoubtedly sex crimes. He added that he doubted whether they were committed by the same man.

Phillis Dean Carver, 9, was found dead near Bayview Lake, 20 miles west of downtown Birmingham. She had been beaten and her throat was cut. An autopsy indicated she had been raped.

Found In Wooded Area

Bobby Howell, 4, was found seven hours later in a wooded area near Lewisburg, north of Birmingham. That is about 15 miles from the spot where the Carver girl was killed.

The Howell child told Deputy W. D. Newsome a man "took me to ride" after buying her a 5-cent bar of candy.

More than 150 persons had searched for the Carver girl through the night. A neighbor of the Carvers, Henry Dixon found the body. It was fully clothed, but her shoes were off, and her dress and raincoat pulled up to her shoulders.

Girl Crying In Woods 4-12-49

Bobby was found, crying in the woods, by J. L. Layne, who had taken a short cut to his work at Lewisburg coal mine.

Officers said the girl was not harmed physically, but had been subjected to indignities. She was taken to a hospital here.

Newsome added officers were seeking a white man, described as hatless and about 20, who was seen near the spot where the Howell girl was found.

4 Youths Charged With Rape

HUNTSVILLE, ALA., Aug. 6—(AP)—Four young men face a preliminary hearing Friday on charges they gave a young girl beer to overcome her moral resistance, then raped her.

State Solicitor Jeff B. Smith said the alleged attacks took place on a lonely road near Huntsville over a seven-hour period last Tuesday night.

He said doctors told him the girl who is 18 has the mental powers of a 12-year-old child.

The girl was carried to Huntsville Hospital in an incoherent condition, but was rational today.

The solicitor said the men were being held in Madison County jail without bond on charges of rape, and overcoming the young woman's moral resistance with a drug or other substance.

Post 8-7-49

Smith said the men gave the girl beer after picking her up on a downtown street.

Smith identified the men as Bruce (Cliff) Lunsford, 22, Route 1, Gurney, Ala.; and William F. Glenn, 22; James Birdsong, 22, and Henry Phillips, 27, the last three of Huntsville.

Assault, Rape Blamed On Piedmont Trio

Birmingham Ala. News

CENTER, Ala., Sept. 10—Three Piedmont, Ala., young men are being held in Cherokee County Jail here on charges of rape and assault with intent to murder.

They are Clyde Nolan, 26; Sylvester Martin, 27, and James Bates, 18.

Birm. Post 9-11-49

The three men have been accused of severely beating a man near Piedmont and criminally assaulting his wife.

27th

Special Deputy C. R. Hurley said the case will come before the Grand Jury next Friday.

27h 1949

Arkansas

7930

Courtroom Is Quiet At Negro Rape Trial

HOPE, ARK., Aug. 8.—(AP)—State police searched all spectators as they entered the courtroom here today for the trial of a Negro charged with raping a white expectant mother.

There was no sign of a possible demonstration.

The case was called this morning but Circuit Judge Dexter Bush then recessed the trial until this afternoon.

The defendant, Herman Maxwell, 21, is accused of attacking the woman in the De Ann Community in this south Arkansas section July 20. Prosecutor James Pilkington, who seeks the death penalty, said Maxwell admitted raping the woman.

27h 1949

Canada

7931

2-Year-Old Girl Assaulted, Bound

OTTAWA — (UP) — Two-year-old Giselle Lachance, nude and critically injured, was found lashed by ropes to the rafters of a shed at the rear of her home yesterday. Police said she apparently had been criminally assaulted.

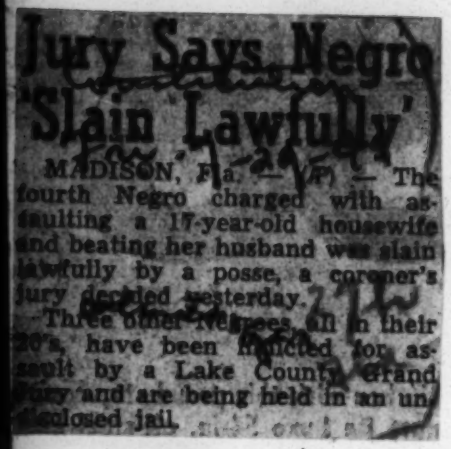
There was no indication who her attacker might have been, police said. Authorities, headed by the Police Morality Squad, launched an extensive search.

Mrs. Telesphore Lachance, the girl's mother, said Giselle had been sent out to play about 9:30 o'clock yesterday morning. She returned once to the house and was not seen again until she was discovered in the shed by two playmates, the mother said.

27h 1949

Florida

7934



Jury Says Negro 'Slain Lawfully'

MADISON, Fla. —(AP)— The fourth Negro charged with assaulting a 17-year-old housewife and beating her husband was slain lawfully by a posse, a coroner's jury decided yesterday.

Three other Negroes, all in their 20's, have been indicted for assault by a Lake County grand jury and are being held in an undisclosed jail.

13

7934

7928

...davit Too Obscene to Read

...C at Waterfront Sex Orgies ...mmitted to St. Elizabeths

...-year-old janitor was com... to St. Elizabeths Hospital ... after admitting ... at obscene sex orgies with ... girls in his waterfront ...

The janitor is Michael Thork, ... 3312 Canal rd. nw., who, ... to Detectives James ... Michael Apperti, is said ... committed an assortment ... sexual acts on four girls, aged ... to 12, last year.

Thork was arrested last No... ember and made a statement to ...lice. So obscene was the af... davit he gave that Assistant ...ited States Attorney John C... ...nliffe, Jr., declined to read it ...ed in District Court yesterday. According to Gallinger Hospital ...ysician Amino Perretti, Thork ...laims to have entertained more ...an 100 small children in his ...home" which is in the George... ...wn police precinct.

The home is a frame shack close ...y the Chesapeake & Ohio Canal. ...estigators said the interior of ...y shack was littered with ... ...ge and sewage.

In his affidavit, Thork said he ...nticed the children to his shack ...with promises of money and then ...id them sums of from 25 cents ...o a dollar for joining him in in... ...ecent acts.

Most of the young girls were ...rom poor families and were eager ...or money, police explained.

One girl told police that Thork ...ermed her by doing his sin... ...ing she would "grow up."

"I guess he meant I would grow ...ller and prettier," she added.

According to his affidavit, Thork ...et most of the children along the ...terfront and lured them into his ...ack. He told them to call him ..."Butch," police said.

Police said he described meet... ...g one child in the Dumbarton ...heater. He made the girl's ac... ...aintance, police said, by drop... ...g a coin in the theater at the ...l's feet.

Police said the janitor worked ...ights so had his days free to ...y on the young girls.

Thork's arrest resulted when one ...the girls told an older brother ...bout her relations with the jan...

Girl's Body Found in Snowbank

AMBRIDGE, Pa. — (UP) — ...man running his dog yesterday un... ...overed the brutally slashed body ...of a 15-year-old high school girl ...lying beneath a blanket of snow.

The girl was identified as hon...ey-haired Margaret Bankowski, ...who was last seen nine days ago ...leaving a candy store. She carried ...a portable radio which was pour... ...ing out swing music.

An employee at the Ambridge ...funeral home where Margaret's ...body was taken, said the slaying ...resembled that of Carole Lee Sen...singer, 12-year-old Pittsburgh ...school girl who was stabbed 36 ...times by a fiend who broke into ...her home Dec. 10. The slayer is ...still at large.

State Police said Miss Bankow...ski was slashed repeatedly about ...the head. Her left hand was bad...ly bruised, apparently in an at...tempt to ward off the killer's ...blows. One ear was torn off and ...her body was scratched as if she ...had run through brush in an ef...fort to flee her killer, police said.

State Police said the girl prob...ably had been assaulted. Some ...clothing was ripped from her body. ...She still wore her bright bobby ...sox and saddle oxfords.

William B. Snyder, 52, found the ...body about 100 feet from a pri...vate road leading to a slag com...pany. It is a little less than a ...mile from the heavily traveled Al...quippa-South Heights highway.

Margaret was the daughter of ...Sigmund Bankowski, a steel ...worker. He said she had left her ...home to visit a school chum the ...night of Jan. 28. She apparently ...stopped at the candy store en ...route, but never reached the ...friend's home.

A tall, slender sophomore at ...Ambridge High School, she "didn't ...have any boy friends," according ...to her father. Her body was iden...tified by her uncle, John Chapola, ...37, automobile driving instructor ...at the high school.

Rape Suspect Held In Mobile

MOBILE, Ala., March 25 —(AP)— The arrest of a 48-year-old coffee salesman wanted in Los Angeles on charges of raping a 13-year-old girl and molesting others was reported by FBI Agent James D. Good here today.

...Freeman Wilson Alexander was arrested on a two-year-old federal warrant charging him with unlawful flight to escape prosecution in California courts on the rape charge.

The California police reported that Alexander would make friends with the parents and children of poor families, buy the girls presents and clothes, and take them on trips to the mountains and beach, Good said.

Formal arraignment today was postponed pending arrival of papers from California. He was placed in Mobile County jail in default of $25,000 bond.

Girl Walking Home In Dark Attacked

EAST LIVERPOOL, O., Feb. 26 —(AP)— Authorities pressed a widespread search today for a suspect in the criminal assault of a 21-year-old girl last night as she walked with two grade-school companions on a lonely road near here.

The victim was in "fairly good" condition today.

She was attacked by an unidentified man as the three walked homeward from a grade-school carnival. Her companions ran to a nearby home and telephoned police.

Police said they were so close to the attacker they could hear him crashing through the underbrush in his flight.

Georgia

7932

Sex Crimes Said On Increase Here

Atlanta, Ga.

Recent reports from the Atlanta Police Department and Grady Hospital Emergency Clinic indicate that the incident of sex crimes in the city is rapidly increasing. According to these sources, several cases of alleged rape have been reported in recent weeks, with the victims ranging from six to twenty-eight years of age.

In most instances details were not available and in one case the investigating officers discredited the victim's claim of rape, although there was evidence of intimacy. Since these crimes were reported as having been committed in various sections of the city, it is clear that girls and women traveling alone at night must be constantly on the alert. Sun. 6-26-49

CHILD ALLEGEDLY RAPED BY NEIGHBOR

The mother of the six-year-old child allegedly raped by a neighbor was contacted by an Atlanta Daily World reporter, Saturday. The mother told this reporter that she permitted her little girl to spend the night with neighbors, who had been very friendly with her.

The child was allegedly raped by the man while his wife was away. According to reports, the child was carried to Grady for treatment and the police are seeking the whereabouts of the alleged perpetrator.

BOUND WITH WIRE

Two of the victims were 16 years of age. One of these victims, assaulted Wednesday night, was not only treated for rape but also for bruises on the arms, chest and breast. She was reportedly bound with wire. The other victim, allegedly assaulted Thursday night was a visitor in the city.

Then there is the case of the 17-year-old girl who was quoted as saying that she was criminally assaulted by seven different men on the same night, in the vicinity of Washington Park. She was treated at Grady Friday and the police authorities were notified.

Another victim, who gave her age as 28, told police that she was allegedly attacked Friday night in the vicinity of the Davis Street school.

American Tragedy'

Editor Constitution: I have read, "Henry Pair Sentenced to Year Each in Criminal Assaults on Atlanta Nurse."

Floyd said he had been inducted into the Army and was "out to have a good time." Ogleby's wife, sitting outside the rail just behind him, bowed her head and began crying softly. The nurse who was assaulted, weepingly told the jury she had been dishonored and disgraced by the attacks of the two men she met on a casual double-date, and thanked the Solicitor General, Roy L[illegible] "for all you have done."

This case in my opinion can be called another "American Tragedy." It is indeed a sad situation but it is one of the many evils that exist today in our United States. Double-dates and women who do not have proper introductions and who meet in cheap road houses for their own entertainment. Parking on lonely roads which invite attacks from criminals.

In this case we have the wife who must suffer for the sins of her husband and then the broken life of the nurse.

Will the one-year sentence of these two men atone for the evil that they have done? Their utter selfishness and greedy passion has caused broken hearts, broken homes and innocent people to suffer. How many more cases of this type are never reported? This case should be a lesson to all young men and women.

ALBERT C. KEITH

Atlanta.

27h 1949

New Hampshire

7933

New England Woodsman Accused in Nurse's Murder

Word of 14 Year Old Boy That He Saw the Couple Together Is Main Evidence

OSSIPEE, N.H. — Ralph Jennings, 40, a woodchopper, was given a hearing here Dec. 15 and held for grand jury action on a charge of criminal assault and murder in the death of Ruth Eeisenberg, whose body was found near here last July 21.

The dead woman, who was nurse to the infant child of Mr. and Mrs. Peter Drury of Newtown, Conn., is said to have been on a hitch-hiking tour through New Hampshire when she met her death.

When arraigned, the slender, brown-skin defendant was so weak he could hardly stand. His attorneys charged that police had stripped and blackjacked him in attempts to get damaging admissions. Judge Parker Merrow denied a defense motion to dismiss the case for lack of sufficient evidence.

Boy Is Star Witness

The principal witness for the State was 14-year-old James Tibbetts of Rochester, N.H., stepson of Jennings' boss, who testified that on July 21, he saw the defendant in his automobile with a white woman, who was not his wife. Jennings' wife is also white but much older than the slain woman.

According to the boy's story, Jennings smiled and waved at him as he drove by along Route 16, headed northward. The State contends that the woman was Ruth Eisenberg.

An autopsy showed that the victim choked to death as a result of having her panties stuffed down her throat. Her body was found in a shallow grave near the highway.

NAACP Backs Defense

Arthur J. Reinhart of Portsmouth, N.H., has been retained by the NAACP to assist J. Clifford Clarkson of Springfield, Mass., and Joseph LeCount of Providence, R.I., in the defense.

They tried unsuccessfully to have the prosecution fix the time of death, but Judge Merrow again denied their motion.

27h 1949

Tennessee

7935

Memphis Woman Victim Of Robbery, Assault

MEMPHIS, Aug. 6 — (AP) — A pretty, red-haired woman, clad only in stockings and a half-length slip, ran into a downtown garage Friday night to gasp out a story of assault and robbery.

Police said she had been attacked in a nearby parking lot by an assailant who knocked her unconscious, then ripped off most of her clothing, raped her and stole her purse and automobile.

The 30-year-old married woman was not identified. She was taken to a hospital for treatment.

Her automobile was found in an alley about an hour later. Her torn upper clothing was inside.

27h 1949

Texas

7936

14-Year-Old Girl Accuses Seven Men Of Attacking Her

HOUSTON, Tex., July 13 (AP)—Four persons have been arrested following the complaint of a 14-year-old girl that seven men raped her. Those arrested include 19 and 20-year-old men and two youths, 15 and 16. Police said charges of statutory rape will be filed against the adults. The youths will be turned over to the county probation department.

15 States Crack Down On Sex Criminals In Wave Of Attacks; 12 Of Remaining 33 Plan No Immediate Action

By The Associated Press

Fifteen states and the District of Columbia have acted recently to crack down on sex fiends.

A congressman wants the FBI to help protect children from sex crimes.

Thirty-three states have not done anything of late to deal with sex slayers, perverts and other sexual abnormals.

An Associated Press survey of the 48 states and the district followed a recent wave of rape, sex murders, and weird sexual crimes. It showed that of the 33 states which have taken no recent action, at least 12 plan no steps in the immediate future.

In other states, inertia or further action to fight sex crimes is expected.

During a single week-end last month, police were facing sexual outrages in New York, Pittsburgh, Newport News, Va., Detroit (where The News has offered $40,000 in rewards for solving eight Michigan sex killings), Los Angeles, Twin Falls, Idaho, and Huron, Calif.

THE FEDERAL BUREAU OF INVESTIGATION has reported an increase of 1.3 per cent in rape throughout the nation for the first half of 1949, compared with the same period last year.

The bureau added that their statistics deal only with "rapes known to police," and show that such crimes shot up 50 per cent in 10 years.

Many of the recent crimes involve little children as victims.

Rep. Chelf (D., Ky.) said recently that he will try to make it a federal offense to molest a child. He said that he believed such action would be as effective at curbing degenerates who prey on children as the Lindbergh anti-kidnaping law has been in controlling kidnaping.

The congressman said he had been shocked to read "horrible accounts of the ever-increasing brutal slaying of this nation's children. He said "apparently the state laws are insufficient."

Gov. G. Mennen Williams of Michigan has said that the sex crime situation must be solved; "it is not a problem that can wait."

* * *

IN SEVERAL STATES efforts are being made to have the sex offender treated as a mental case, subject to care by physicians, rather than to cold, impersonal, penal sentence with no rehabilitation chances.

Gov. Earl Warren of California recently endorsed a budget request of the Department of Correction for $10,000,000 for a mental hospital for the criminally insane, particularly sex cases. He said, however, he felt there were adequate laws to deal with sex offenders if they were enforced.

Judge Adrian Bonnelly, a veteran member of the Philadelphia Court of Common Pleas told The Associated Press: "We don't need new laws . . . we need more trained psychiatrists. Whether a boy is abnormal or asocial is a strictly medical problem." Judge Bonnelly, 60, added that he didn't think there were any more sex crimes now than when he was a boy.

* * *

HERE IS THE current situation by states:

ALABAMA—No laws passed this year. There has been no noticeable increase in sex crimes in the state.

ARIZONA—A special committee of the State Bar Association announced that a new law to retard sex crimes will be presented at the next Legislature. Down Ben Roush, chairman of the committee, said the measure calls for treating sex offenders as mentally ill — before they become killers.

* * *

ARKANSAS—No recent laws on sex crime. Lt. H. R. Peterson of the State Police's Criminal Division, believes sex crimes are on the increase.

* * *

CALIFORNIA — A two-year-old law requires a person convicted of a sex crime to tell police if he moves. Gov. Warren declined to put sex crime legislation on the agenda of a special session of the Assembly. He said there are adequate laws now if enforced. In Los Angeles, child molestation rose from 73 in 1948 to 122 in 1949. Other crimes against children dropped during the same period from 285 to 233.

* * *

COLORADO — State lawmakers took no action on sex crimes during the past session. No leaders were available for comment on plans the past session. No leaders were available for comment on plans for the next session.

* * *

CONNECTICUT—The legislative council is now working on proposed sex laws. They will provide for medical treatment of "aggressive sexual deviates" instead of jail terms.

* * *

DELAWARE—Of two 1949 laws, one made it mandatory for the court to heed mercy recommendations of a jury in some cases involving a girl under 7. The second makes optional, rather than mandatory, the imposition of a penalty in a charge of lewdly playing with a girl under 16. No alarming trend in sex crimes is reported.

* * *

FLORIDA—No major laws have been passed recently, there are none in view. Police reported that the trend of sex crime is down.

* * *

IDAHO—The 1949 session of the Legislature took no action on sex crimes. A study of the problem is planned.

* * *

ILLINOIS—The 1949 Legislature took no action on retarding sex crime. The Cook County state's attorney, John S. Boyle, has been calling for less leniency toward sex criminals.

* * *

INDIANA — Hospitalization of sexual psychopaths is called for in a 1949 law.

* * *

IOWA — The State Bureau of Criminal Investigation says the situation in recent months has remained stable.

* * *

KANSAS—The State Bureau of Investigation reports that there is nothing to indicate any increase or decrease in sex crimes. The recent Legislature took no action.

* * *

KENTUCKY—In recent years the Legislature has barely touched laws on sex crimes. The state police say only 33 sex crimes have been reported to them since Jan. 1, and consider the figure low.

LOUISIANA—M. E. Culligan, assistant attorney general says he has had requests from legislative leaders to draft laws against peeping Toms, to tighten laws on sexual perversion (which he says is the most common offense in the area), and to rewrite all laws on sex crimes to make them more specific.

* * *

MAINE—A bill aimed at forbidding probation of sex criminals was defeated this year. Burton M. Cross, state Senate president said the next Legislature may consider a proposal to put some sexual delinquents in an institution. Police records show an increase in all types of sex crime in the last year from 452 to 507.

* * *

MARYLAND—The 1949 general assembly failed to act on recommendations made by a commission to study the growth of sex crimes.

* * *

MASSACHUSETTS — There was no sex crime legislation last session. Police report no pronounced trend in sex crimes.

* * *

MICHIGAN—Legislators took no action last session or any previous ones, but a 20-person commission is studying sex deviates.

* * *

MINNESOTA—No anti-sex crime action was taken by the Legislature during 1947 or 1949. If the upward trend in sex crimes continues, Rep. Fred Memmer said, he may introduce a bill to strip the Parole Board of power to parole sex criminals, and make the courts invoke maximum penalties against them.

* * *

MISSISSIPPI—No marked increase in sex crimes. Those coming to the attention of the national reading public have involved interracial aspects.

* * *

MISSOURI—This year's Legislature passed two sex crime laws. One provides mental hospitalization for sex offenders. Legislators said that there had been a marked increase, especially in Kansas City and St. Louis, of sex offenses.

* * *

MONTANA—No legislative action recently.

* * *

NEBRASKA—The 1949 Legislature passed an act to commit sexual psychopaths to state hospitals.

* * *

NEVADA—The penalty for lewdness and similar crimes in connection with children under 14 years was increased in 1947 to a minimum sentence of five years.

* * *

NEW HAMPSHIRE—The 1949 Legislature passed a law calling for special prosecution and confinement for sexual psychopaths. A commission found such action necessary because of the seriousness of the sexual crime situation. The next session of the Legislature is expected to ask for funds to build a separate institution for treating sexual psychopaths.

* * *

NEW JERSEY—A commission was appointed by the 1949 Legislature to study sex crimes and recommend action. A law passed requires that sex convicts found abnormally mentally ill be committed to institutions.

* * *

NEW MEXICO—State police say that New Mexico shows an increase in sex crimes recently but have no figures. There has been no recent legislative action.

* * *

NEW YORK—No positive action was taken by legislators in 1949. One bill died in committee. The State Correction Department reported that for the first 10 months of 1948 sex offenses totaled 1,731. Total for the same period in 1949, 1,753.

* * *

NORTH CAROLINA—"The molesting of young girls seems to be definitely increasing," Walter Anderson, chief of the State Bureau of Investigation has reported.

* * *

NORTH DAKOTA—There have been no major sex crimes in North Dakota in recent years.

* * *

OHIO—A bill to establish a sex offender hospital died in the Legislature this year.

* * *

OKLAHOMA — Chief Dwight Brown of the Oklahoma City police force said recently: "The permanent solution . . . is in adequate legislation . . . for special hospitals.

* * *

OREGON—State police officials say they don't need any new laws. A steady increase in sex offense is reported. One hundred more officers above the present force of 56 have been asked.

* * *

PENNSYLVANIA—Gov. James H. Duff vetoed a revised state penal code which increased fines and sentences for sex offense, but it will be reintroduced in 1951. The psychiatric staff of the Philadelphia General Hospital has called for medical treatment of sexual delinquents.

* * *

RHODE ISLAND—No laws touching the sexual delinquent were passed during 1949.

* * *

SOUTH CAROLINA—The rate of sex crimes is about normal for the state, and all are usually straight rape, punishable by death.

* * *

SOUTH DAKOTA—Strengthening of the state's sex crime laws is under study by the criminal law committee of the State Bar Association for a 1950 report. No action was taken by the 1949 Legislature.

TENNESSEE—The judge of the Knoxville City Court, Charles G. Kelly, has asked for strengthening of state laws to curb sex criminals.

* * *

TEXAS — No recent Legislature has done anything on the sex crime subject.

* * *

UTAH—There have been no recent sex crimes.

* * *

VERMONT—No sex crime legislation was under consideration during 1949.

* * *

VIRGINIA — Rape is punishable by death; there has been no recent legislative effort in connection with sex crimes.

* * *

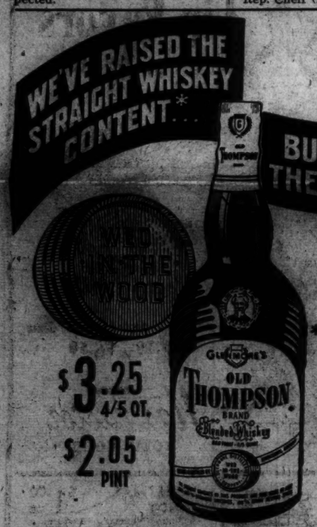
WASHINGTON — A law enacted this year makes possible the apprehension of suspected sexual psychopaths—a suspect may be detained until examined by a medical panel and had a court hearing. If believed a sex psychopath, the person can be ordered to a state hospital for mental treatment.

* * *

WEST VIRGINIA — There has been no sex crime action recently.

WISCONSIN—Two bills on sexual psychopaths were killed in 1949 Senate session. The bills would have permitted commitment of such persons to state institutions designed by the Department of Public Welfare.

WYOMING—There is nothing to indicate an increase of sexual crimes.



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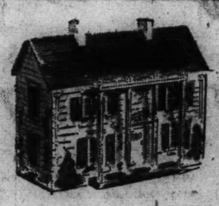

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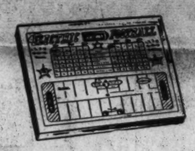

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YEILDING'S 2ND FLOOR

Man Arrested After Girl, 8, Is Molested

Her Father Catches Negro After Chase Near Residence Here

A 31-year-old Negro was in City Jail today after an incident in which 8-year-old Marguerite Stewart was molested near her home last night.

Marguerite, who lives at 647 Third Avenue, North, was returning from a neighborhood store with her two sisters when the Negro approached them. The child said he "grabbed" her. She was unharmed.

* * *

THE CHILDREN SCREAMED, and their father, Bert O. Stewart, chased the man into a creek. Other residents of the area joined in the chase.

Mr. Stewart caught the man, identified as Howell Hunt, of 1920 Fifth Avenue, South, and held him for police.

Hunt suffered face, head, elbow and shoulder lacerations. He was treated at Hillman Hospital, then transferred to City Jail on a charge of assault with intent to murder.

He was identified by one of the girls.

* * *

MR. STEWART SAID the Negro threw rocks and a knife at him and others in the chase, which lasted two and a half blocks.

City Detectives W. J. Haley and R. A. MacMurdo and Officers W. W. Casey and J. K. Turner investigated.

Youth Jailed, Accused Of Assaulting Girl, 6

PRATTVILLE, Ala., [illegible]—A Negro youth [illegible] held today in Autauga County Jail here charged with raping a six-year-old Negro girl.

Sheriff [illegible] Jones identified the suspect as Alton Broadnax [illegible] near [illegible], Ala. Jones said Broadnax admitted he "picked the girl up, carried her into the woods a little way from her house and stayed with her about [illegible]0 minutes."

The trial has been set for April [illegible].

Luverne Negro Held For Rape

LUVERNE, ALA., Feb. 28—(AP) Jim Arrington, 25-year-old Negro, was arrested here today on charges of raping a white woman. He was spirited to Kilby Prison at Montgomery immediately for safe-keeping.

The attack occurred between Luverne and Rutledge around 3:30 p.m., and Sheriff Green Horn said the 35-year-old woman identified Arrington as the man who assaulted her.

The sheriff quoted the Negro as "confessing" to E. L. Wilkerson, state Alcoholic Beverage Control Board officer, whom he deputized to take Arrington to Montgomery.

Sheriff Horn said that shortly after he arrested Arrington, the woman identified him in a police line-up with several other Negroes. In addition, Horn said that dogs tracked Arrington from the scene of the attack to his home.

The woman, mother of three children, told Sheriff Horn she was in a field cutting sedge grass for a broom when a Negro approached, grabbed her from the rear, stifled her screams, and attacked her.

RUSHED TO PRISON FOR SAFEKEEPING

Montgomery, Ala., March 1—A 28-year-old Negro charged with raping a white woman was held in Kilby prison for safekeeping Tuesday.

Kilby warden George W. Garner said the Negro, Jim Arrington, admitted he raped the 35-year-old woman at her home near Luverne, Ala., Monday afternoon. Sheriff H. G. Horn at Luverne said a rape charge was filed against Arrington.

Horn said the Negro was rushed to Kilby because "some fellows looked like they were going to get violent."

Crenshaw Jury Indicts Negro In Rape Case

14 Highway Patrolmen Escort Prisoner From Kilby

LUVERNE, ALA., March 4.—Jim Arrington, [illegible]-year-old Negro, was indicted today by a Crenshaw County grand jury for raping a 35-year-old white woman February 28.

He was brought from Kilby Prison by a special guard of 14 highway patrolmen. He had been spirited to the state prison for safekeeping. He was immediately returned following the special jury session.

Circuit Judge A. E. Gamble set the trial for March 15.

J. M. Pollard, court registrar, said it was the first rape case to be heard in Crenshaw County.

Sheriff Green Horn said: "Everything has been peaceful since the arrest. There was no indication of violence at the hearing." The highway patrolmen were present at the arraignment.

The woman, mother of three children, told Sheriff Horn she was in a field cutting sedge grass for a broom when the Negro approached, grabbed her from the rear, stifled her screams and attacked her.

J. O. Fentell, Jr., Luverne attorney, was appointed to defend Arrington. C. J. Kettler, state solicitor, will prosecute the case.

Negro Wins New Hearing

Proof Of Rape Intent Termed Inadequate By State Court

A crippled Negro convicted of intent to rape a white woman although he didn't touch her or even try to, won a reversal yesterday in the Alabama Court of Appeals.

The tribunal set aside the six-year prison term given Zear McCollum of Tuscaloosa county and sent the case back to the lower court. Judge Robert B. Harwood said the trial judge should have granted the Negro's motion for a new trial.

McCollum was charged with assault with intent to rape a 33-year-old housewife last June 12. The woman testified the Negro, crippled from birth, came into the yard of her home and told her "you know what I come for."

She said McCollum did not say anything more specific; that he got no closer to her than about three feet, and that he ran when she said she would call her husband.

Judge Harwood cited other court decisions that it isn't necessary to touch a victim in order to be convicted of intent to rape. However, he added, the State must show the defendant intended to "gratify his lustful desire" without consent.

Even this evidence is not sufficient proof of guilt, he continued. "if the facts merely are consistent with guilt. They must be inconsistent with innocence."

He said the Negro's remarks to the woman, while "a jury might reasonably infer that they were insulting in character," could "never amount to an assault and "are not in themselves indecent."

The judge pointed out, too, that the woman herself testified McCollum didn't touch her or even try to.

The court also mentioned the age and size of the defendant and victim and said they "must be accorded some significance." The Negro was 25 and crippled from burns as well as from birth. The white woman weighed 145 pounds.

McCollum's flight "at the first show of resistance" also casts doubt on his intentions to rape her without consent, Judge Harwood said.

ONE IN A THOUSAND, MAYBE

Because he allegedly came into the yard of a white woman and said "You know what I came for," Zear McCullum, [illegible]-year-old Tuscaloosa [illegible], was convicted last summer and sentenced to serve six years in prison on a charge of "attempted rape."

Recently, the Alabama Court of Appeals reversed McCollum's conviction [illegible] him free. That McCollum got no closer than three feet to the woman and fled when she threatened to call her husband, indicated, the court said, that he had no intention of raping her.

It is not likely that even in Russia one would be sent to Siberia for making the simple statement "You know what I came for."

Accused Batman Safe From Mob

LUVERNE, Ala. — A 25-year-old [illegible] arrested here Monday on [illegible] white woman [illegible] spirited [illegible] Prison at Montgomery for safekeeping immediately after he was taken into custody.

Sheriff Green Horn admitted that the step was taken as a precaution against threatened mob violence.

The [illegible] man [illegible] Arrington.

[illegible] Molesting Attempt

BIRMINGHAM, ALA., April 28—(AP)—A Negro accused of attempting to molest an 8-year-old white girl today was sentenced to 18 months in jail and fined a total of $1,500.

County Judge G. C. Boner imposed the sentence on Harold Hunt, 22.

Hunt was charged with attempting to molest Margaret Stewart near her home April 12. Witnesses testified the Negro grabbed the girl but did not hurt her.

Her father, B. O. Stewart, who captured Hunt, filed charges of assault. A similar charge was filed by her brother, Tommy Stewart.

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ASSAULT CHARGE IS FILED

Accused Of Slipping Into Girls' Bed

SMITH, Ark., Feb. 22.—(AP)—A negro [redacted] was charged with assault with intent to rape two white teen-aged sisters in their apartment here.

Police Chief Pink Shaw identified the negro as Willie Jackson. Jackson is accused of slipping into bed Monday night with the sisters.

Shaw said one of the sisters told him she was awakened Monday night by someone in her bed. He quoted the girl as saying she aroused her sister, turned on the lights, and they beat the intruder until he fled. Jackson was arrested later.

Harold Flowers To Represent Accused Rapist In New Trial

Marianna—The date for the new trial granted Wesley Hildreth, whose conviction on a charge of rape was recently reversed by the Arkansas Supreme Court, will be set in Judge D. S. Plummer's Lee Circuit Court, Tuesday.

Harold Flowers, senior member of the law firm of Flowers, Flowers, and Tripplett, will represent Hildreth, who was convicted by a Phillips County jury and sentenced to die in the electric chair for criminally attacking a young white woman is now confined at Tucker's Prison farm. The Supreme Court held that the lower court erred, however, in refusing to permit counsel to introduce evidence showing that he was entitled to a change of venue. The Court ordered the judge to hear such testimony if offered.

SECOND TRIAL FOR LIFE UP TODAY FOR NEGRO

Lee Countian Is Charged With Criminal Attack

TWO ARE GIVEN 10 YEARS

Special to The Commercial Appeal

HELENA, Ark., May 10.—Wesley Hildreth, Lee County negro, will go on trial for his life the second time here Wednesday on a charge of criminally attacking a white woman.

Hildreth is accused of having criminally attacked a white woman near Moro in 1948. First tried at Marianna, in Lee County, he was sentenced to the electric chair. On an appeal to the Arkansas Supreme Court he won a new trial and when he was rearraigned asked for a change of venue which was granted to the Phillips County Circuit Court.

Feeling Ran High

At the time he was tried at Marianna feeling ran high and a large number of state police were ordered there for his protection. Officials here said they had taken "precautions" for Wednesday's trial, although no trouble is expected.

Floyd Wilson and Bob Craig, young white men, Tuesday were sentenced by Judge Elmo Taylor in Phillips County Circuit Court to 10 years in the state penitentiary on charges of robbery, but their sentences were suspended during good behavior. The two were charged with having held up and robbed several negroes on the highway near Helena crossing.

Other sentences imposed by Judge Taylor included:

Other Cases

Charles Childs, white, forgery and uttering, two years on each and revocation of a two-year suspended sentence given him last year on a similar charge. Sheriff's officers said Childs is wanted by officers in California, also.

Felix Lollar, white, grand larceny, three years. Lollar was found guilty by a jury. Similar charge against Abraham Hill, white, was dismissed.

Jack Bratton, white, embezzlement, three years suspended sentence.

Freeman Cheatham, negro, second degree murder, 15 years.

Frank James, negro, burglary and robbery, five years on each count.

Herman Lee Baker, negro, second degree murder, nine years. Sentence deferred until Fall term of court.

Negro Is Held In Rape Case

HOPE, Ark., July 20—(AP)—A 23-year-old pregnant wife reported she was raped at her farm home near here today, and officers have arrested a Negro they said admitted the attack.

Hope Police Chief Clarence Baker and State Police Sergt. J. H. Porterfield identified the Negro as Herman Maxwell, 21.

They said Maxwell was arrested in the woods about three miles north of Hope. He was removed to an undisclosed jail. He was held without formal charge.

Broken strands of pearls romance sordid murder

Two broken strands of pearls lent a subtle note of romance to the otherwise sordid rape and murder of 31-year-old Madeline Brown, a South 5th street waitress, whose naked, garroted body was found in her hotel room Sunday night.

One strand of the jewelry was found under Mrs. Brown's body which lay in the center of the floor, clad only in stockings; and another, also broken, was found in the blood-stained bed, police said.

Allegedly confessing to the murder, inquest into which was held yesterday, was Sam Williams, Jr., 27, the dead woman's jilted lover. Williams told police he went to Mrs. Brown's room, intending to stab her to death, but strangled her with a rag instead, then raped her on the bedroom floor.

Police said there were no evidences of a struggle. There were indications that the pair had drunk a pint of whiskey, cut with four 'cokes,' before Mrs. Brown disrobed to receive an embrace more ardent than she had bargained for.

When the body was found, by Mr. and Mrs. Horace McKinney, guests in the hotel, the young woman had been dead more than 24 hours, the police said. She is survived by her estranged husband, Venora Brown, who came here from Richmond for the inquest.

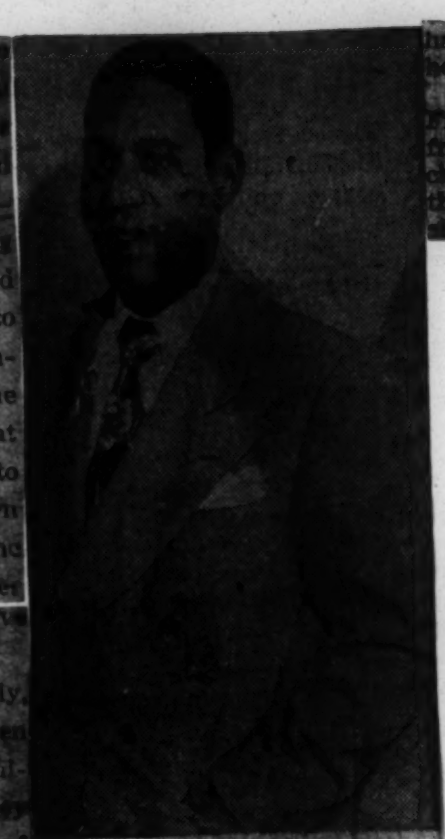
NOBEL FLOURNEY ACQUITTED ON RAPE CHARGE

Nobel Flourney, charged with statutory rape on ten year old Gloria Thomas in Floyd Terrace, Vallejo, California, sometime in the month of May or June, 1948, was freed by a jury of five women and seven men on Thursday, January 6, 1949, in Judge Raines' court in Fairfield, with [redacted] sitting.

[redacted] Attorney [redacted] land, whose recent brilliant [redacted] of Ernest Hall of Vallejo, on a similar charge, caused a hung jury. Attorney Henderson, using the same skillful trial technique which has gained him the reputation of being one of the best criminal trial lawyers in the state, so impressed the jury in the Flourney case that they returned a verdict of not guilty in less than twenty minutes of deliberation.

As Attorney Henderson and his client smilingly left the court room, he was asked by a rpectator to what he contributed his success in the case, to which he replied: "That in all rape cases, since the word of the victim alone is sufficient for a conviction, the best defense is a strong offense, that is, seek out weaknesses in the testimony of the complainant and witnesses for the prosecution rather than presenting alibis and excuses on behalf of your client." For example in this case, the girl's mother, who was a prosecution witness, stated that she took the girl to a doctor about five days later, and when the girl stated that nothing had happened to her she did not have her examined. As you noted, I drew an admission from the girl's mother that the reason she did not have the girl examined, was because she didn't believe that anything had happened to her daughter and that she knew the girl was given to exaggeration and lying." Mr. Henderson centered his argument to the jury around that specific point, that the prosecution wanted the jury to believe the little girl when her own mother who brought her into the world and who had been around her all of her ten years did not believe her.

This evidently worked effectively, for there were only two ballots taken and the second ballot was a unanimous verdict for acquittal. Attorney Henderson has an enviable record of never losing a rape case in his 18 years of practice.



DR. MOSS

Dr. Moss Released On Bond

Dr. Jay M. Moss, 35, prominent local chiropractor and man-about-town, was arrested this week by Newton division officers charged with the forcible rape of a Watts woman and has been released on bail.

According to police records, Dr. Moss was brought in custody on the complaint of Miss Ermagene Fonteno, 662 East 118th street, who charged the socially prominent doctor with luring her into his home on the guise of signing some insurance papers and then forcibly attacking her.

Miss Fonteno further told police that after attacking her, Moss would not permit her to leave and kept her at his home until the following morning. The attack is alleged to have taken place at Dr. Moss' home, 1387 East [redacted] street last Friday night, police records show.

When booked by police, Dr. Moss told officers that he had treated Miss Fonteno's sister and had taken the women to his home, but had not attacked her.

A member of Phi Beta Sigma fraternity, Dr. Moss is formerly from Chicago. Before opening his chiropractor office, he was in the real estate business. He is a single man.

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17-Month-Old Child Raped and Murdered

Body Is Found In Muddy Field

Fresno, Cal., Nov. 21 (AP)—The raped, naked body of a girl only 17 months old was found in a field last night where her killer had thrown her in the mud.

Tiny Josephine Yanez had been raped and smothered, said Deputy Coroner L. R. Webb.

"It was the most vicious murder ever committed in Fresno County," Detective J. Ed Martin said.

The body bore teeth marks.

The body was found near Huron, in the cotton-growing area about 40 miles southwest of Fresno and 120 miles northwest of Los Angeles.

Couldn't Get Baby-Sitter

The little victim was a daughter of Joe Yanez, 29, a ranch worker, and his wife, Teya, 22. She was kidnaped from their car early yesterday.

The couple had attended a dance at Huron. They couldn't get a baby-sitter, so they took turns tending Josephine and her 2-month-old sister, Gloria, in the car. Then, as they were ready to leave for home, Yanez went into the hall for a moment to talk to his wife. When they returned, Josephine was gone.

After an all-night search, her muddy furow in a field. Her head body was found face down in a had been shoved into the mud. There were flakes of mud in her lungs.

Mother Collapses

Undersheriff Harold Emmick said a 21-year-old laborer was being held for questioning, but that this hadn't produced "anything very promising." District Attorney James M. Theusen said there were discrepancies in the man's stories. He said the man had attended the dance.

The girl had been stripped naked, except for her bonnet and one shoe. The bonnet strings were drawn tightly around her neck. Pieces of her clothing were found near a fence at the edge of the field. The field is a few hundred yards from the dance hall.

Mrs. Yanez collapsed when told her child had been killed.

The Yanez family has lived on a ranch near Huron for two years.

Associated Press Wirephoto.
JOSEPHINE YANEZ
Raped and murdered

NATION APPALLED BY SEX SLAYINGS

Rape-Murder of 17-Month-Old Infant Latest

(The Associated Press)

A series of sex slayings appalled the nation Monday.

Los Angeles citizens, horrified by last week's strangulation-stabbing killing of Linda Joyce Glucoft, 6, called a town meeting type of gathering at the confessed slayer, Fred Stroble, 66, was given a preliminary hearing. Stroble was held for trial, with arraignment set for Friday.

The Detroit News offered $40,000 in rewards for solutions to eight unsolved Michigan sex killings—$15,00 for each killer convicted and imprisoned.

Latest victim was 17-month-old Josephine Yanez, whose body was found in a muddy field Sunday night near Huron, Calif. Deputy Coroner L. R. Webb said the child had been raped, then smothered. She was snatched from the automobile of her parents, Mr. and Mrs. Joe Yanez of Huron, while they were absent for only a few minutes.

In Burley, Idaho, a large crowd of townspeople attended Sunday funeral services for Glenda Joyce Brisbois, 7, whose ravished, beaten body was found in a canal last Thursday. She was buried at Payette, Idaho. Her confessed slayer, Nealle Butterfield, 16, is jailed at Twin Falls. He denied raping the child.

At Ogden, Utah, Ray Dempsey Gardner, 27, Columbus, Ohio, pleaded innocent to a first degree murder charge in the rape killing of Shirley Gretzinger, 17, baby sitter, whose nude body was found in a weed patch last July. His attorney said that later he would plead insanity.

Parent-teacher groups, clubwomen and civic organizations arranged the Los Angeles meeting in a high school auditorium to discuss sex crimes and legal and legislative methods for combatting them. An attorney, a psychiatrist and a police inspector were asked to participate.

In Los Angeles there have been 25 reports of molestation of children since last week, far more than usual.

Sex Crimes Break Out In Los Angeles

Los Angeles, Nov. 2[illegible]—A rash of crime against children has broken out in Los Angeles in the wake of the sadistic slaying of 6-year-old Linda Joyce Glucofft.

Since little Linda was killed last Monday, police said, 25 cases of sexual molestation of children have been reported by irate parents.

Tomorrow night a mass meeting of citizens, sponsored by parent-teacher groups, will discuss methods of dealing with sexual criminals.

Today aside, these new cases showed up in police reports:

A 7-year-old girl was raped by a Negro as she walked through an alley on an early morning errand for her mother.

Three girls, aged 7, 9, and 12, were lured into a hotel room by a 65-year-old man.

A 12-year-old boy, forcibly in a car by a blond man, leaped to freedom, but was knocked down by a passing automobile and suffered a broken leg.

'WITH THESE HANDS'—Fred Stroble, 66-year-old baker, tells police how he strangled Linda Joyce Glucoft, 6-year-old Los Angeles girl. Stroble was nabbed yesterday in a bar near police headquarters. (Associated Press wirephoto.)

Baker, Nabbed Near Police Station, Tells Sordid Slaying Story

Found In Bar, Confessed Killer Of Glucoft Girl Says 'Drink Did It'

LOS ANGELES, Nov. 18—(AP)—Muttering "I don't deserve to live," pasty-faced Fred Stroble, 66-year-old baker, braced himself in a county jail cell today for swift Grand Jury action in the sex slaying of 6-year-old Linda Joyce Glucoft.

Stroble, the grandfather of one of Linda's favorite playmates, poured out [illegible] sordid story to Dist. Atty. William Simpson as a 48-hour fugitive search throughout the West and into Mexico wound up yesterday on a stool in a downtown Los Angeles bar—about five blocks from Central Police Station.

SIMPSON SAID Stroble, formally charged with murder, admitted that he [illegible] the pudgy little girl to death when she resisted his improper advances. Arraignment was scheduled today in Municipal Court.

"I had been drinking all day—wine. I wouldn't have done it if I hadn't been drunk," Stroble was quoted. Simpson said the ashen, gray-haired grandpa—who liked to buy ice cream and candy—then told of enticing Linda into a bedroom of the home where he lived with his daughter, her husband and their two children.

The story:

"I was playing with her. . . . (Simpson said this involved an act of molestation, but not rape). . . . When she started to scream. She was resisting me.

"This was the first time. I had played with her once before.

"I STRANGLED her first with my hands then with a tie. She was quiet. I wrapped her up in the blanket and carried her out to the incinerator. . . . I stabbed her with the ice pick, and then I slammed her with the flat side of the ax six times on the head. . . .

"Then I went back into the kitchen and got a (butcher) knife. I remembered a trick I learned while watching the bull fights in Mexico. I stabbed her in the back, just below the skull, between the shoulder blades. That makes death come easily and fast.

"The little girl did not suffer too much. She was dead within eight or 10 minutes."

That was about 3 p.m. Monday, Stroble said. Linda's body was found the next morning and the search started.

SPEAKING IN A LOW monotone as stenographers used a recording machine took his statement, Stroble told how he boarded an interurban tram for Ocean Park and stayed in cheap hotels at the Beach City for three nights.

He said he had thought about suicide, by jumping off the pier, but decided yesterday morning to return to Los Angeles and give myself up.

He had just returned on a bus and gone into the bar for a glass of beer when a [illegible]man, Bill Miller, spotted him and told rookie traffic policeman, Arnold W. Carlson. Carlson confirmed the identification and Stroble submitted without protest.

"I don't deserve to live," Simpson quoted Stroble at one point. "Any man who would do a thing like that doesn't deserve to live. I figure I'd have to pay in the next world, so I might as well pay in this."

THE ONLY TIME the [illegible] baker showed emotion was when he was asked, "Did you kill any one else?"

"My God, no!" he sputtered. "It's bad enough this way."

Simpson said Stroble, a bachelor on a previous charge [illegible] a 10-year-old girl [illegible]

Baby Victim Of Sex Slayer Is Buried

[illegible] mutilated and slain, were held at Holy Cross Cemetery.

MEANWHILE, a preliminary hearing for Paul Gutierrez, 25-year-old cotton worker charged with the child's slaying, was set for Nov. 29.

Gutierrez was arraigned before Peace Justice Cecil Edgar yesterday for the murder, which Sheriff's [illegible] April, admitted the first time he molested a child was 10 years ago. Since then he has molested four or five other children in the Los Angeles area, he told Simpson.

But Dr. Marcus Crahan, county examiner, said "there is nothing insane about him" after an examination last night.

Officer Ed Martin termed "the most vicious" in local history.

Josephine's violated, nearly nude body was found [illegible] by, nearly 15 hours after she was taken from the automobile of her parents, Mr. and Mrs. Joe Yanez.

It was found in the mud of a field not far from where the automobile was parked before a dance hall at Huron, a small farm village on the west side of the San Joaquin Valley.

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Man Indicted On Charges By Girl, 15

A District grand jury indictment charged yesterday that a 40-year-old stablehand ravished a 15-year-old girl who said she submitted because she feared he would refuse to let her ride his horses.

He is Lancelot Russell, 40, of 1428 Rock Creek Church rd. nw. The indictment charged him with having carnal relations with the blonde girl on October 8, 1948, and on March 4, 1949, in the stable near his home.

The girl, who lives in Silver Spring, Md., said she first saw Russell last year when she heard that he was looking for a girl to ride in horse shows.

A 35 year-old mail clerk listed in an indictment as Stanley Olczak of 1300 Vermont ave. nw. was charged with second-degree murder in the fatal beating last month of Mrs. Dorothy Reed, also of the Vermont ave. address. According to the charges, the pair quarreled when the woman threatened to leave Olczak.

Lawrence Byas, 44, and Gladys Byas, 35, both of 1421 Florida ave. nw., were charged with pandering in arranging for prostitution by a 14-year-old girl.

Daniel Watkins, 50, was charged with tossing a bag of "acid or lye" from a window at 836 23d st. nw. on Thomas Saunders, 30, 818 23d st., who was badly burned. The two men had been arguing, it was charged.

Osker Dukes, 34, of 2345 Sherman ave. nw., was charged with five counts of numbers lottery operation and possession of numbers slips.

The grand jury ignored a charge of robbery against Charles W. Coy, 22, whose address was given as 1432 12th st. nw. Coy was in jail for two weeks until a juvenile confessed to the crime, police said.

Man Convicted Of Rape Charge In Washington

(UNPA)—Lancelot Russell, stable groom, was convicted last Wednesday of statutory rape of a white 15-year-old high school girl, but the jury did not recommend the death penalty.

A District Court jury which deliberated an hour and a half, found Russell guilty on two counts of carnal knowledge. The verdict meant Russell could be sentenced to as much as 60 years in jail.

The all-white jury of ten men and two women failed to return the death penalty, asked by Prosecutor Cecil Heflin.

Russell was a groom at stables owned by his mother at 1428 Rock Creek road N. W.

Police said Russell admitted he had been intimate with the girl, a patron of the stables, "once or twice a week" since she was 14. There was no testimony that he had used force.

The girl, who is pregnant, wept when she took the stand to testify about relationship with Russell.

10 to 30 Years

Stable Groom In Girl Case Given Term

Lancelot Russell, 40, a stable groom, yesterday was sentenced to 10 to 30 years in jail on two counts of carnal knowledge of a 15-year-old girl, who is now pregnant.

The sentence was imposed by District Court Judge Edward M. Curran, in whose court Russell was convicted by a jury of 10 men and 2 women on May 25. The jury had not prescribed the death penalty, which the Government had asked.

The Negro groom, who lives at 1428 Rock Creek Ford rd. nw., admitted in a signed statement that he had had sexual relations with the blue-eyed girl "once or twice" a week since the summer of 1948. She told the jury she met Russell at his mother's stables and wanted to ride in shows for him. She said she had sexual relations many times with Russell since she was 14.

Judge Curran imposed a $1000 fine on Joseph Waldman, 3000 39th st. nw., who pleaded guilty June 20 to fraudulently concealing assets of $446.40 in a bankruptcy proceeding October 21, 1941, when he was president of Jean's, Inc. He was also given a suspended sentence of 20 months to 5 years.

Kathryn White, 32, of 3929 14th st. nw., was sentenced by Judge Curran to 1 to 3 years after pleading guilty to charges of forging four checks, totaling $283.25, last December and January.

Judge Richmond B. Keech imposed the following sentences on three men, found guilty of a series of recent robberies: Clinton J. Kilpatrick, 23, of 1314 10th st. nw., 5 to 15 years; Johnnie Hogan, 30, of 1314 10th st. nw., 4 to 12 years; Ernest V. Wellingham, 21, of 131 10th st. nw., 2 to 10 years.

Mother Raped After Intruder Threatens Girl

Police Are Told Man Said He Would Attack Her Daughter, 4

A 34-year-old housewife told police she was raped early yesterday by an intruder who forced her to submit by threatening to attack her 4-year-old daughter.

The victim, who lives in the Kalorama rd. nw area, is a native of El Salvador, who has lived in Washington for seven years.

She told officers the man entered her apartment by the back porch about 2:30 a. m., awakened her in her bedroom and forced her to accompany him to the living room. She said she was attacked there.

Because the victim speaks English only with difficulty, she called neighbors after the man left. They in turn called police. The police broadcast a lookout order for the intruder, describing him as a Negro about 22 years old; 5 feet, 8 inches tall, and wearing a white shirt, brown hat and gray trousers.

The victim told police her husband has been in a hospital here for two years.

Traced by Laundrymark

Auto Rape of Marine's Wife Laid to Boy Prisoner of 15

Traced by a laundry mark on a handkerchief found near the scene, a 15-year-old boy has confessed to the beating, robbery and rape of a Marine sergeant's wife in a parked car early Saturday police said yesterday.

The boy was identified as William Leach, jr., who will be 16 next month, and lives at 1021 7th st. se., some seven blocks from 13th st. and Pennsylvania ave. se. where the crime took place. He was accused of rape.

Charges will be filed against Leach in Juvenile Court today.

Police reported the boy told the following story:

He had left friends and headed for home early Saturday morning when he saw a woman asleep in a car.

He opened the door of the car intending only to rob the woman. When she awoke and resisted, he beat and then raped her.

Police said he at first denied the crime, but confessed after he was questioned and confronted by the woman. Police did not disclose whether she identified the boy as the culprit, whom she had described as a light-skinned Negro, about 20 years old, 5 feet 6 inches tall, wearing a tan sport shirt and brown trousers.

Detective Sergt. James Sartain and Precinct Detectives James C. Bryant and Robert Weaver said they traced the laundry mark on a [redacted] handkerchief found near the scene [redacted] home. Police said that clothes he confessed he wore during the attack were being examined for evidence.

The woman told police she fell asleep in her car, the doors and windows of which she thought she had locked, while waiting for her Marine sergeant husband. He was driving up from Camp Lejeune, N. C., with friends, and had arranged to meet his wife at 13th st. and Pennsylvania ave. se. as he arrived an hour after the crime.

She said a youth forced a pillow over her face, beat and raped her, and escaped with her pocketbook containing $30 and her car keys. Police said they had not found pocketbook or keys.

G-Girl Reports She Was Raped By Intruder

A 21-year-old Navy Department employe was reported raped early yesterday by an intruder who, she said, placed his hand over her mouth as she lay asleep and warned, "If you aren't quiet I'll kill you!"

The warning was accompanied by a blow from her assailant's fist, the young woman told police. The intruder carried her from her bedroom toward the kitchen after asking if there were a rear door, police said she reported.

Then he carried her back to the bedroom where the rape was committed. The man then covered his victim's head with a bedspread and left.

The attacker was described as a light-skinned Negro about 30 years old, 5 feet 7 inches tall and weighing about 120 pounds. The girl, also Negro, said he wore a light straw hat, light shirt and pants.

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"THAT'S ENOUGH RIGHT THERE," SAID A deputy sheriff in the courtroom at Tavares, Florida, when Norma Padgett, a seventeen-year-old blonde housewife, identified the three Negro defendants as the men who (she said) had raped her on the night of July 16. A white woman had spoken. Her husband more or less corroborated her story. No medical testimony was allowed by Judge Truman G. Futch. All of Lake County was "aroused"—the Orlando newspapers had seen to that—and the community was still swept by the mob fever that had resulted, last July, in a three-day reign of terror for all Negroes within thirty miles. The real cause of the hysteria—and the probable basis of the rape accusation itself—was of course never mentioned: the fact that a few Negroes in Lake County were getting "uppity," saving a little money, buying land and new cars, and showing a disinclination to continue as forced laborers at starvation wages. The whole thing was over and done with in a day and a half. The judge threw out all defense motions as irrelevant and immaterial, including efforts to prove that the defendants had been tortured, that the all-white jury was stacked, and that the psychological climate of the county precluded any possibility of a fair trial. The verdicts were as expected, with one exception—Charles Greenlee, aged sixteen, who had convincingly demonstrated he could not have been implicated in the crime, if in fact there was one, won a recommendation of "mercy." At the end of the week sentence was passed: death for two, life inprisonment for Greenlee. Lake County settled back—and two Negro defense attorneys and two Northern Negro journalists, including Ted Poston of the New York *Post*, fled from Tavares in fear of their lives, pursued at ninety miles an hour down the highways by angry whites. For they were outsiders who could not properly appreciate Southern customs.

BELIEVED INNOCENT, 'FRAMED':

Medical Aid Rushed to Groveland Trio

RAIFORD, Fla.—Physical examinations made this week of the three Groveland boys being held here on an attack charge substantiated charges made by Assistant Special Counsel Franklin H. Williams of the NAACP that the prisoners were brutally beaten by police to make them "confess" to the crime of attacking Mrs. Willie Padgett.

The three were arraigned on Friday and their trial was set for Aug. 8.

Jean Downing, D.D.S., and Nelson Spaulding, M.D., of Jacksonville, confirmed the NAACP attorney's report that lash marks and scars are still visible on the prisoners' bodies and that one of the boys has several broken teeth and another's foot was cut with glass.

In addition to supplying medical care for the youths after prison authorities refused to do so, the NAACP has provided the prisoners with shoes and the first clean clothing made available to them since their arrest almost four weeks ago.

Mob Violence Resulted

The three boys, Samuel Shepherd, 22; Walter L. Irvin, 22, and Charles Greenlee, 16, were jailed and accused of attacking Mrs. Padgett after she charged that four colored men had assaulted her, July 16. Four-hundred bullets killed a fourth man "sought" in the case.

A flare of mob violence in the Groveland area, followed the accusation. Three homes were burned, one of them that of Shepherd's father. Mr. Williams, thereupon, made an on-the-spot investigation, gathering evidence indicating that the prisoners are innocent and that mounting anti-colored sentiment in the area was behind the rioting.

Acting NAACP Secretary Roy Wilkins revealed that contributions for the boys' legal defense is pouring in. Students of Bethune-Cookman College sent $117.38; faculty and students of Florida Normal and Industrial College

Jealousy Is Source Of Fla. Terror

By RAMONA LOWE
(Defender Florida Bureau)

ORLANDO, Fla.—Seething jealousy of poor whites over prosperity of Negro farmers caused the week-long reign of terror in Groveland, where the Negro district was shot up and homes destroyed.

The whites seized the rape charges against four youths to vent their long-simmering, pent-up emotions as a chance to rid the community of Negroes who had made a success of farming.

Meanwhile the avowed sham of the mobsters of "protecting white womanhood" against Negro attacks was ripped by none other than the woman who was allegedly raped.

Mrs. Willie Padgett, the purported victim, is reported as declaring that if anything happens to Sam Shepherd, one of the accused: "I will leave this place (Groveland). I have known Sam all of my life."

Shepherd is a brown-skinned, handsome young man. And folk who should know said he has known the 17-year-old Mrs. Padgett for years.

The trouble started in Groveland when it was reported that the woman had been raped by four Negroes and her husband assaulted. The incident supposedly occurred about a fortnight ago on a lonely highway when the Padgetts' car stopped as a result of motor trouble.

Guard Moves Out

Three of the youths are in jail and have allegedly confessed. They are, including Sam, Walter Irvin and Charlie Greenlee, all about 20.

It is reported that the trio stopped in passing because they recognized the Padgetts. The husband admitted himself, he knew the men. It was revealed also that Padgett had been drinking heavily.

With an uneasy pall settling over Groveland, the State National Guard, which was demonstrated clearly it was unsympathetic to local whites, moved out about 4 p.m., Sunday morning.

As they left, several prosperous Negroes were warned not to return to the community: They are: Matthew and Joseph Maxwell, Moses Sinclair, Franklin and Johnson Hodges and Will Brunson.

Joseph Maxwell, a World War II veteran, was wounded in action in Belgium after participating in D-Day landings at Normandy beach. He is a successful farmer in an area where Negro farms are first rate in size and production.

Foreman Over Whites

Matthew Maxwell held an unusual position, so far as the deep South. He was in charge of a citrus plantation with a large number of poor whites working under him. He rose to the position and held it through proved ability.

However, whites had hinted he held a "white man's job." He was first threatened more than a year ago.

Siplin, a citrus contractor, attempted to vote in all-white, hillbilly populated Mascotte, Fla., in 1940. He was scornfully tagged: "A rich N....r" and driven from the polls.

In 1944, he attempted to vote again. Whites threatened to kill him.

Prosperous Watermelon Grower

Franklin Hodges began to feel the ill will of the cracker element when he began making money in fruit.

Johnson Hodges is a successful watermelon grower and truck farmer. He was in the process of clearing 100 acres to be planted in watermelon when the trouble started. As in the fernery business centered in the Leesburg area, whites resented the entry of Negroes as owners to such profitable farm enterprises.

However, a few daring Negroes would not be stopped. They entered on their own the fernery and watermelon businesses, in spite of threats.

Evidence of jealousy against Negro farmers here has been steadily growing. The reason is this: White farmers, many of them, do not have comparable holdings.

Other families leaving Groveland Sunday with household goods were stopped by members of the Florida State Highway Patrol. The officers pleaded with the heads of the families not to leave the town.

Other whites in the community suddenly became alarmed. They realized they were losing needed workers. Terrified former Negro residents heard fervent pleas to return to their homes. They were promised that no more trouble would develop.

However, the trek from the town continued. Many of the Negroes said they couldn't forget the Nazi-like mass persecution visited on them. And that, they said, for the alleged guilt of four men for a crime law enforcement could have settled peacefully.

Stuckey's Still Deserted

Inhabitants of Stuckey's Still, an all-Negro development adjacent to Groveland where major rioting took place feel their churches and school completely broken up by wholesale flight. The community was considered ideal before the riots. Refugees here feel certain many former residents will never call it home again.

Ocoee And Clemont Incidents

The trouble in Groveland recalls the Ocoee incident after World War I. One prominent Negro tried to vote and when prevented, he shot and killed a number of whites. A riot resulted.

Although he was lynched, 25 whites were slain. A number of Negroes breathed their last too in the riot. Others were [illegible] of the town. Today, [illegible] lily-white town.

Eleven years ago in Clermont, a

asked to probe indicted here on a criminal as the homes by the sault charge until Sept. 1. He first denied a motion for withdrawal of the defendants' pleas made the day before by attorneys for the NAACP Asst. Special Counsel Franklin H. Williams, attorneys for the Groveland trio explained that a motion to withdraw the plea is preliminary to

Groveland Trio to Be Tried Sept. 1

TAVARES, Fla. — Judge T. J. Futch of Lake County Circuit Court, on Thursday postponed

night of terror. The FBI has been the burning of the

got to return home. The Shepherds had a home three miles from a bullet wound, as a result of Groveland. It was burned to the ground. Where they are now no one knows.

Shepherd's father is suffering

One brother, a Sunday school teacher, was helped out of town by sympathetic whites during the

Negro between a white and Negro resulted in trouble. Vengeful whites burned every home in the community. The Groveland trouble spread to Polk City last week. Shots were fired and a cross burned near the school. Each of these towns is largely populated by the poor class of whites, who make the real gains in life and resent the rise of any Negro to success.

...ling pre-arraignment motions to quash indictments and change ...

State Attorney Jesse Hunter and his assistants Sam Buie and Walter Hunter opposed the NAACP motion.

Motions filed Thursday by Mr. Akerman and Mr. Williams for further continuance to allow a longer period of time for proper preparation of the defense of the accused trio, will be argued Aug. 29.

The attorneys also will argue in favor of a motion to quash the indictments against Samuel Shepherd, Walter L. Irvin, and Charles Greenlee, the defendants, on the ground that a state of unrest existed in the community when the grand jury which indicted the trio was impaneled.

Shortly before the hearing was held, James Shepherd, brother of one of the defendants, was arrested on a judge's order.

No Basis for Arrest in Law

Since there is no law covering such arrest, defense attorneys have expressed the belief that the action may have been taken in an effort to prevent them from interviewing him. The State's attorney first denied that an arrest had been made, but admitted it later.

Roy Wilkins, acting NAACP secretary, announced that contributions of more than $700 have thus far been received for the Groveland defense. Mr. Wilkins emphasized the need of financial help, stating that the amount received thus far would not pay preliminary costs.

Prepare Appeal For 'Florida 3'

TAVARES, Fla.—Next battleground in the fight for freedom for the doomed "Groveland Three" is the Florida Supreme Court, The Courier learned this week. Defense Attorney Alex Akerman Jr. is preparing an appeal to that highest state tribunal following denial of his motion for a new trial after an all-white jury had convicted the trio.

Although Attorney Akerman listed nineteen errors which he charged had been committed by Presiding Judge T. G. Futch Jr. in the original trial, Judge Futch refused to grant a new trial, holding that the three young Negroes had received a fair trial at the hands of the state. They were charged with raping a young white housewife last July 16.

STARTED TERROR REIGN

The alleged rape of the woman set off a reign of terror against Negroes in Groveland and surrounding towns, during which Negro homes were burned, including that of the father of one of the accused trio, Samuel Shepherd, other property destroyed and long-time residents of Groveland were forced to flee for their lives as hooded riders marauded the area unchecked until two companies of state militia moved in.

On-the-spot investigation, by Special NAACP Counsel Franklin H. Williams of New York, brought the conclusion that the three men were innocent and that "confessions" obtained from two of them had been secured after police had administered brutal beatings to the men. The NAACP then moved into the case and undertook to defend the youths.

Following their conviction by the jury, two received mandatory death sentences, and a third, 16-year-old Charles Greenlee, was given life imprisonment because of his youth. The doomed men are Shepherd, Walter Irwin and Greenlee. A fourth man accused of complicity in the alleged rape, Ernest Thomas, was shot to death in a woods near Groveland by a posse on July [illegible].

PHYSICIAN DENIED STAND

In his petition for a new trial, Attorney Akerman claimed, among other charges, that the court erred in refusing to admit testimony by Dr. Nelson W. B. Spaulding as to the physical condition of the defendants showing that they had been beaten, when the trial was in progress.

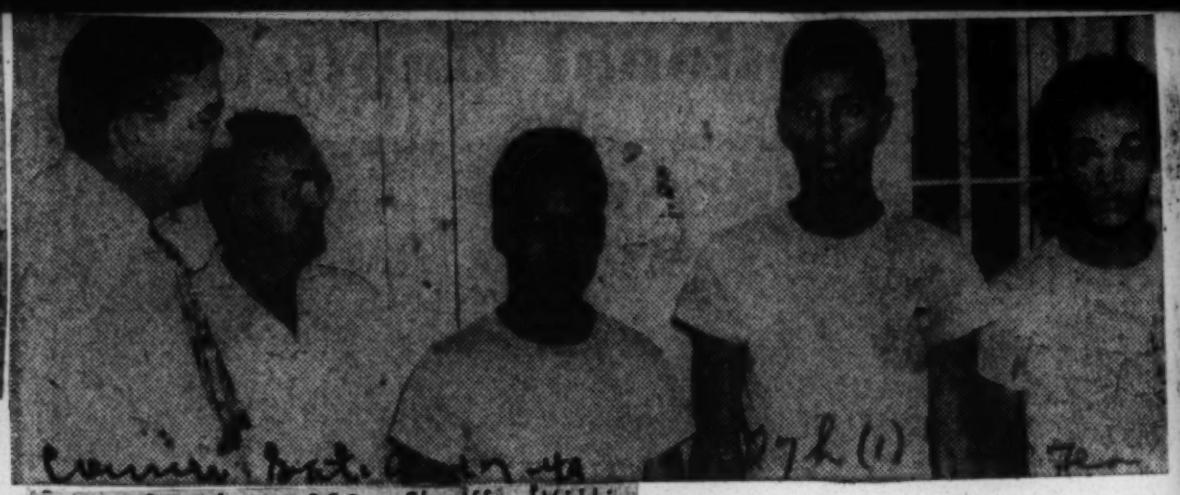
He charged, further, that the court erred in refusing to allow the defendants to testify at the hearing on the motions for continuance and application for removal of cause on the grounds that they had been beaten by officers. He also declared the court erred in admitting alleged casts of tire tracks and shoe prints over the objections of the defendants.

NAACP officials in New York declared that the fight would be taken to the nation's highest tribunal, the United States Supreme Court, in an effort to save the three youths.

NO OFFICIAL PROBE

No investigation, they charge, has been made by a grand jury or any other official body of the mob violence which swept Groveland following the incident. Nor has any action been taken by the United States Department of Justice, in spite of the mass terrorization of the Negroes of the city.

Attorney Akerman told The Courier last week that the fight to save the three boys has just begun and that he expects full support from Negroes in his efforts to gain freedom for them. He is being assisted by Attorneys Williams and [illegible] Hill of Daytona Beach, Fla.



Proud, Sheriff?—Sheriff Willis McCall and a deputy of Tavares, Fla., look pretty pleased at having heard the death sentence given to two of these youths and life imprisonment to another. The three were convicted of an alleged rape of a young white housewife in July, setting off a reign of terror against Negroes in Groveland, Fla. The youths are Walter Irvin, Charles Greenlee (who got life) and Samuel Shepard.—Keystone Photo.

PERRY (Florida), July 2[illegible] (R). — Ernest Thomas, identified by the police as one of the four Negroes who recently outraged a seventeen-year-old white woman after beating and robbing her husband, was shot dead by a posse near here.

The county sheriff said that a large group of officers found the Negro asleep in the woods.

Three other Negroes are in an unspecified goal.

7943

Florida Grand Jury Acts, Row Quiets

...ND, Fla., July 21—(AP)...ning back to ...s here today, their fears ...y National Guard troops ...ing array.

...s loafed on the lone business ... of this tiny lumber and truck ...ning town. They seemed at ease ... the first time since racial vio... broke out last Saturday after ... of a white housewife.

... NEGROES were indicted ... crime late last night.

...00 strong, lolled beside ...achineguns and weapon... far away, two Guard planes were ready to take the air if needed.

The Guardsmen kept a weather eye out for the trouble after noting a sudden influx of cars from Alabama and Georgia.

One man was nabbed by Guardsmen late last night and a pistol confiscated after he had been observing cruising near a Negro settlement. He was released.

THE INDICTMENT of the three Negroes for the rape of Mrs. Willie Padgett was returned almost on the stroke of midnight by a special Grand Jury at the Lake County seat of Tavares, 25 miles from here.

Accused of the crime, a capital offense in Florida, were Charles Greenlee, Samuel Shepherd and Walter Irvin, all about 20.

In its findings, the jury ignored Sheriff W. V. McCall's charges against the Negroes of kidnaping and robbery, but asked to be called back later to continue its investigation.

Circuit Judge Truman Futch said he would not fix a date for the trial immediately, but probably would hold a special court session within the next two weeks.

...r the Guardsmen "operation ...abotage" began last Sunday, a day ...after 100 heavily-armed men tried ...o fast-talk Sheriff McCall out of ...the two Negroes then under arrest. ...They failed.

SUBSEQUENTLY the Guardsmen were reinforced after a wild Monday night in which three Negro homes were burned and a caravan of shooting men moved through a Negro settlement.

The next phase was the Grand Jury session last night. Among the 18 jurors returning the indictment was a lone Negro, March DeBose, of Umatilla.

Court attaches said it was the first time in their memory a Negro had served on a Grand Jury.

Posse Slays Alleged Rapist

Perry, Fla., July 26 (AP)—Ernest Thomas, identified as the fourth Negro in the recent Groveland rape case, was shot and killed by a posse north of here today.

Taylor County Sheriff Bill Towles said Thomas was definitely identified as one of the four who raped a 17-year-old housewife July 16 after beating and robbing her husband.

He said Thomas, who had been trailed by a large group of officers since Sunday night, was shot when he ran after being found asleep in a wooded area.

The Groveland attack on the young white woman resulted in a reign of terrorism in the community for several days.

The three others charged with the crime are in custody.

...l Case Suspect ...lled In Florida

...ENVILLE, FLA., July 26 ... posse today shot and kille... the four Negroes charge... the crime which nearly s... race riot at Groveland la...

...ler County Sheriff Bill ...es identified the slain Negro ...rnest Thomas and said he ...surprised while sleeping in ...oded area 10 miles south of ...

...other Sheriff, W. V. McCall, ...Thomas was shot as he fled, ...g that the fugitive was "bel... ...nt as the devil. He had a ...d pistol in his hand and he ... his finger around the trig...

...ked if he knew who shot ...as, McCall replied: ... but it was a good bunch ...s, though."

Posse Shoots Negro Wanted In Rape Case Of Florida Woman

GREENVILLE, Fla., July 27—(AP)—Bullets from a posse's guns yesterday cut down the fourth Negro wanted for a rape which touched off flaming racial conflict in Central Florida last week.

Three sheriffs led searchers who caught the Negro, Ernest Thomas, sleeping in dense woods near here. Possemen shot him to death as he tried to escape.

He was "belligerent as the devil," said Lake County Sheriff W. V. McCall. "He had a loaded pistol in his hand when he was killed and he had his finger around the trigger."

McCall and the other two sheriffs, Simmie Moore and Bill Towles, said they did not know who fired the fatal bullet or how many shots were fired.

* * *

THOMAS AND THREE OTHER NEGROES, all in their 20s, were accused of raping a 17-year-old white housewife after beating and robbing her husband. The other three have been indicted for rape and are being held in an undisclosed jail.

The rape-robbery was followed by mob terrorism against Negroes around Groveland, where the crimes occurred.

A coroner's jury viewed the Negro's body and the scene of the shooting yesterday, then recessed until 10 a.m. tomorrow. County Judge Curtis Earp said five witnesses have been called to testify.

Florida Jury Probing Rape

One Negro Included In Special Panel; Guard Patrols

GROVELAND, FLA., July 20.—(AP)—A special grand jury tonight still was investigating the crime which sent mobs on a rampage against Negroes.

The jury, including one Negro member, convened late today to investigate the kidnap-rape of Mrs. Willie Padgett and the robbery-beating of her husband.

Groups Checked

Even as the jury, in session at the Lake County seat at Tavares, 25 miles west of here recessed, National Guardsmen here to preserve peace were checking reports of unusual movements of groups of men.

One group of 15 men was dispersed without incident at Mascotte, two miles west of here, but there were rumors of motor convoys. The rumors are unconfirmed.

Lone Negro member of the jury is March Debose, of Umatilla. Court attaches said it was the first time in their memory that a Negro had been called upon to sit in a major case. They have been called in lesser cases, however.

Negroes Return to Homes

GROVELAND, Fla., July 21 (AP)—Negroes began returning to their homes here today, their fears calmed by National Guard troops ready for action.

Some loafed on the lone business street of this tiny lumber and truck-farming town. They seemed at ease for the first time since racial violence broke out last Saturday after the rape of a white housewife.

Three Negroes were indicted for the crime late last night.

Troops, 300 strong, stood ready beside .50-caliber machine guns and weapons carriers. Not far away, two Guard planes awaited orders.

Some townsfolk hoped the Guard would remain over the week-end, fearing another outbreak if they left.

Brig. Gen. Mark Lance, State Adjutant General, was expected here to talk the situation over with Sheriff W. V. McCall. General Lance said yesterday the troops would remain here indefinitely.

The guardsmen kept a weather eye out for trouble after noting a sudden influx of cars from Alabama and Georgia.

Rape Suspects Named By Wife

TAVARES, FLA., Sept. 2.—(AP)—A 17-year-old white farm wife today dramatically pointed out three Negroes who she said raped her on a lonely road near here July 16.

Before a hushed crowd the slender blonde girl identified Walter Irvin, Samuel Shepherd and Charles Greenlee as her attackers.

She previously had identified a fourth Negro in the alleged rape case as Ernest Thomas, who was killed by a posse several weeks ago in northwest Florida.

The rape of the young woman touched off white terrorism demonstrations against Negroes in nearby Groveland.

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Prisoners Bear Lash Scars On Their Bodies

RAFORD, Fla. — Assistant Special Counsel Franklin H. Williams of the National Association for the Advancement of Colored People announced Thursday, on his return from an on-the-spot investigation of violence and race rioting in the Groveland, Fla., area, that the three young men charged with attacking Mrs. Willie Padgett, white of Groveland have retained the NAACP to handle their defense. Retainers have been signed by Samuel Shepherd, Walter Lee Irvin, and Charles Greenlee, the prisoners; Henry Shepherd and Charlie Mae Shepherd, parents of Samuel; and Mrs. Delia Irvin, Walter's mother.

Olling evidence that has convinced him that three youths are "entirely innocent" of the charges against them, Mr. Williams charged that "all three were "brutally and inhumanly" beaten by police and civilians in the jail at Tavares before being transported to the State ...

...and Greenlee, 16, confessed only after being lashed with rubber hose, flats and billy, but Irvin although beaten into unconsciousness, has at no time said he had anything to do with the crime. None of them have signed a confession.

BODIES MUTILATED

"Although more than two weeks

community.

NAACP ALL-OUT

The NAACP announced that as a result of investigations by its local branches, the state conference of branches, and Mr. Williams, they are convinced that the "trumped-up rape charge," the burning of Negro property, the open participation of the Ku Klux Klan, and the continued intimidation of Negroes in the area is "all a part of one great plot to intimidate the Negroes in the community, to force they to work for little wages, and to stop them from being so "uppity."

"For these reasons," stated Mr. Williams and NAACP Special Counsellor Thurgood Marshall, "the resources of the Association will be thrown behind the defense of these boys, and at the same time we will insist upon protection of other Negroes in the area."

John P. Ellis, president of the Orlando branch of the NAACP, and Harry T. Moore, executive secretary of the Florida State Conference of NAACP branches, have announced that a mass protest meeting will be held in Orlando on Sunday, August 14.

SAVAGE WHITE POSSE KILLS FOURTH RAPE SUSPECT WHILE PILLAGING HOMES IN FLORIDA

Terror-Stricken Families Flee From District Where Defenseless Blacks Are Shot Down

PROSPEROUS NEGROES ARE BLACK-LISTED BY MOB

(By Ramona Lowe)

PERRY, Fla. — (ANP) — The rape case in which four Negroes are accused of attacking a white woman, Mrs. Willy Padgett, 17, and robbing her husband came to a climax last week when a posse of armed whites shot down the fourth suspect, Ernest Thomas, in the swamps as he tried to run away.

Three others who reportedly have confessed their part in the alleged attack are being held in the state prison at Raiford. They are Samuel Shepard, 23, Walter Irvin, 21, and Charles Greenlee, 17. Sheriff W. V. McCall of Lake county says they are safe.

In the meantime frightened Negro families have begun to move away from the Groveland and Stuckey areas after more than a week of terror unlike anything they have experienced in their lives.

Stuckey, an all Negro town, has been the scene of wild shooting by whites as well as destruction of several homes.

Thomas had hidden several days and nights in the woods before he finally was caught. During his days as a fugitive he saved his life once by befriending one of the hunting dogs sent out to track him down. Armed whites chased day and night after the lone Negro and finally closed in on him. He had no chance of escape when they blasted away at him.

At Stuckey most of the families fled when they heard a white mob was forming. While the National Guard was offering protection the families stayed. It left too soon for most of the citizens, and many began negotiations for the sale of their properties and the movement of their household belongings.

Many of them even became resentful towards the unfortunate boys involved in the case. The prisoners were from Groveland and Clermont.

Their homes were targets for most of the whites' destructive intentions. All the windows of the Irvin boy's home had been broken while other homes in Groveland remained intact, probably because some belonged to whites.

The mob moved down Bay road and burned [illegible] of Shepherd's [illegible]. Then they fi[illegible]es belonging to a [illegible]" who once beste[illegible] man in a fight. T[illegible] not touch three ne[illegible]egro homes.

[illegible] rumbled on to Polk [illegible]y because it was [illegible]e of Klansmen supp[illegible]rching from the [illegible]counties. Although [illegible] other areas were most of the trouble, [illegible]obiles of white Grove[illegible] in the violent motor-

[illegible] are reported to have [illegible] the chief merchandiser of [illegible] out of his stock of guns [illegible]h Negroes had considered [illegible]eir friend.

[illegible]y whites, expressing regret [illegible] the incidents, pleaded with [illegible]Negroes not to leave the area. [illegible] Negroes, however, who had [illegible]pendent and operated [illegible]which they hired hands, [illegible] blacklisted for their [illegible] and warned not to re-[illegible].

[illegible] they want to stay are [illegible] that they are the back-[illegible]he community. They are

[illegible]ckers and panzers who [illegible]med a stable element buy-[illegible] and running small truck [illegible]n the side.

[illegible]ff McCall has been praised [illegible] Negroes for holding down [illegible]o violence as much as possi-[illegible]. Unable to stop it completely [illegible]oved with it droping tear [illegible] and throwing hand grenades [illegible]

Three Admit Robbing Man And Raping His Young Wife

Groveland, Fla., July 18 (AP)—The rape of a 17-year-old white woman and the robbery of her husband have been admitted by three Negroes being held for safekeeping in an undisclosed jail, Sheriff W. V. McCall said today.

National Guard troops were mobilized by Governor Fuller Warren yesterday to maintain order after a heavily armed mob tried to take two of the Negroes out of jail at Tavares. They left today when the threat of violence subsided.

"There may be demonstrations for another night or two, but I don't expect any violence," said Police Chief George Mays.

Sheriff McCall identified the accused as Charlie Greenlee, Samuel Shepherd, and Walter Irvin, all about 20. A fourth Negro is being sought.

Affidavits charging them with rape, kidnaping, and causing bodily harm were sworn out today by the sheriff.

The officer said the three admitted they beat and robbed Willie Padgett of Groveland, then kidnaped and raped his wife early Saturday.

Padgett reported that four Negroes stopped as he and his wife were stranded by auto trouble. They first offered to help, the husband said, but then he was hit on the head, robbed, and Mrs. Padgett was taken away in the men's machine.

Sheriff McCall quieted the mob of about 100 men that gathered at the Courthouse in Tavares Saturday night.

NAACP to Defend Groveland Trio

Their Mutilated Bodies Convince Investigator

NEW YORK—The NAACP will defend the three young men accused of attacking Mrs. Willie Padgett of Groveland, Fla., and robbing her husband.

The decision was announced by NAACP Assistant Special Counsel Franklin H. Williams after his return from an on-the-spot investigation of violence and race rioting in the Groveland.

Reamers have been signed by Samuel Shepherd, 22; Walter Lee Irvin, and Charles Greenlee, 16, the prisoners; Henry Shepherd and Charlie M. Shepherd, parents of Samuel and [illegible] Irvin, Walter [illegible]nee.

Bodies Mutilated

"Although more than two weeks have passed since the boys were arrested," Mr. Williams said, "the lash scars on their bodies and cuts on their heads made by these beatings are still clearly visible.

"They have severe cuts on their wrists, inflicted when they were hung with handcuffs from a pipe to coerce them into making a confession. The sole of Greenlee's left foot was cut with glass, and Shepherd has three broken teeth and possibly a fractured jaw."

The NAACP attorney indicated that at the time of his interview with them, they were still wearing "the same dirty clothing, blood-stained from the beatings" which they wore when they were arrested. No doctor has seen them and no X-ray has been taken of Shepherd's jaw.

Two Didn't Know Third

Shepherd and Greenlee confessed orally after the torture, but Irvin never did. Signed affidavits by the prisoners assert that Shepherd and Irvin, who are friends, had never seen Greenlee before being thrown into jail with him.

Greenlee, who hails from Santafe, Fla., was picked up for vagrancy and later charged with the assault when Mrs. Padgett alleged that "four colored men" had attacked her.

The NAACP annonuced that it believes the "trumped-up rape charge," the burning of colored property, Klan activity, etc., are "all a part of one great plot to intimidate the colored residents, to force them to work for little or no wages, and to stop them from being so 'uppity.'"

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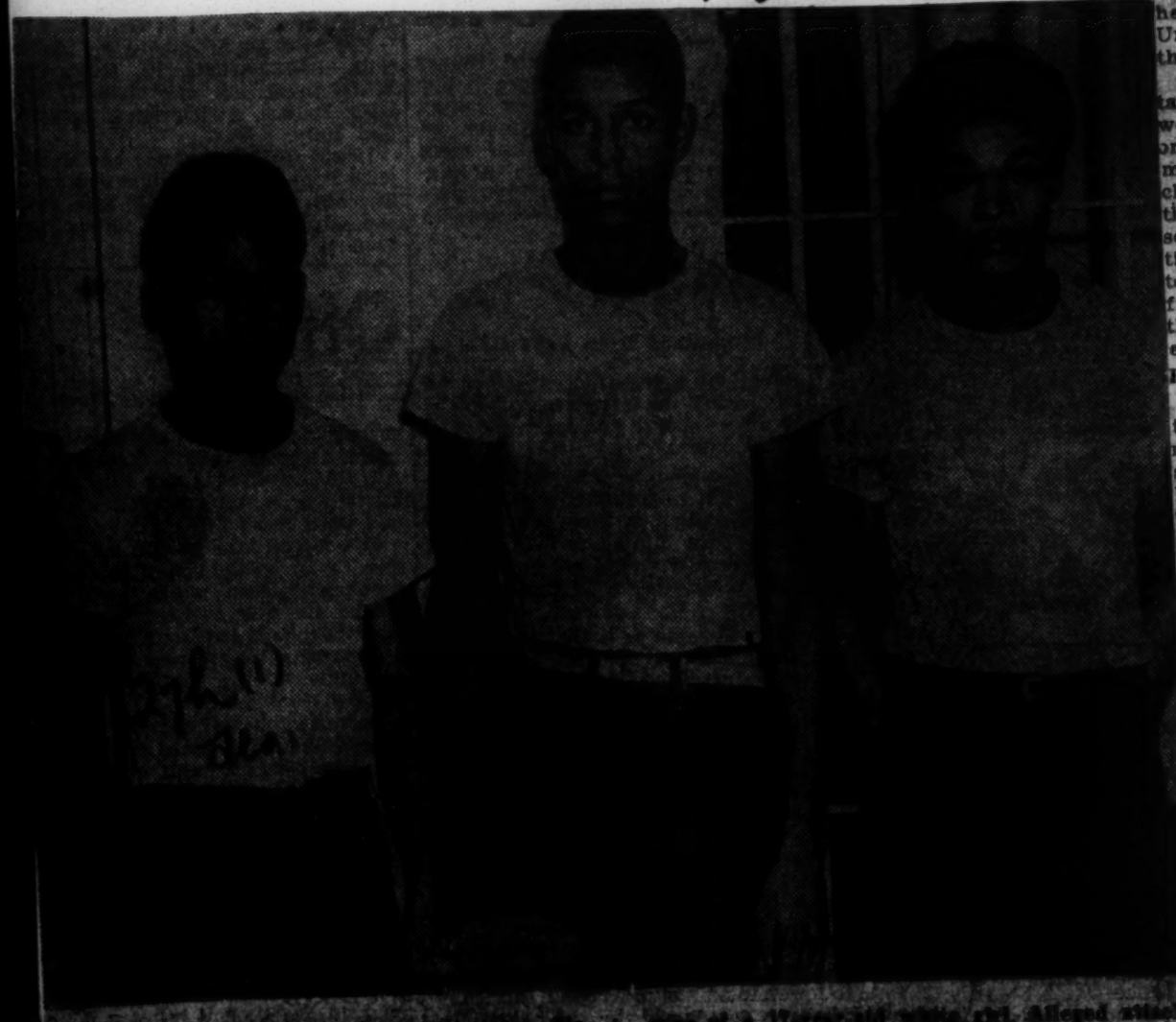

"LITTLE SCOTTSBORO CASE" attorneys file appeal for new trial with State Supreme Court at Walter Irvin and Samuel Shepard (left and right) are [illegible] to death and Charles Greenlief [illegible] terms for alleged rape of a 17-year-old white girl. Alleged attack set off relapse of tension [illegible] Negroes in Groveland area [illegible] two months ago.—Keystone photo.

Mob Forms As Negroes Eat in Cafe

By JOHN A. DIAZ
(Courier Florida Editor)

PENSACOLA, Fla. — Four Negro Naval Reservists eating in a Childs Restaurant here last week nearly precipitated a riot, according to investigators on the scene. The four men, arrested by local police for "protection," were surrounded by a white petty officer and six other white reservists.

Also arrested and charged with "disturbing the peace," "disorderly conduct" and "keeping a disorderly house," was Jack Papador, manager of the eatery. The Negro reservists were also charged with disorderly conduct, but were turned over to Navy officials.

The near-riot was brought on by whites who congregated outside the restaurant while the men were eating and after they had been taken to police headquarters, the manager, Papador, was struck by one member of the milling mob.

The reservists were members of a party aboard the USS Olsen from Mobile on a fifteen-day cruise.

City Attorney Churchell Mellen has advised that Papador could be prosecuted under the city ordinance regulating segregation of the races, but that further charges would have to come under jurisdiction of the state. The incident took place Sunday of last week.

Papador stated after the incident that officers told him that under no circumstances could Negroes be served in face of the existing jim-crow laws in the city.

CALLS FLOOD POLICE

According to officers on duty at police headquarters during the time of the incident, approximately fifteen telephone calls were made protesting the colored reservists presence in the place. Papador pointed out, however, that white customers in the restaurant saw the situation but made no objection.

He said that he had been honoring Government orders such as that upon which the reservists ate for the past thirty years.

he "Congress" the order of the United States Government and not the Negro members of the party.

James Pedakis, owner of the restaurant, told the press that plans were made to serve the four colored reservists because Papador, manager, had been told by the chief petty officer in charge that the restaurant was obliged to do so under Government orders. One ticket covering the meals of all ten men was presented. It was further understood, he pointed out, that the Negro reservists were to eat at a separate table.

HAD FINISHED MEAL

The men were arrested by Detectives Mallory Tennant and Raymond Harper, who said that the sailors were in no way disorderly or discourteous. They were taken in "protective custody" until the crowd could be dispersed. Papador was struck while the officers were taking the Negroes to the police station.

Pedakis cited a similar case that occurred when a Negro juror was brought into the restaurant and he was told by the foreman of the jury that he would be cited for contempt of court if he refused to serve the juror. He also was served at a separate table.

White Fla. Attorneys Buck Odds

By RAMONA LOWE
(Defender Florida Bureau)

TAVARES, Fla. — Attorneys were the real heroes in Florida's "Scottsboro" case, fought in the circuit court here.

Georgia-born Alex Ackerman, jr., white chief defense counsel, is a southerner with a conscience. Like most of the Florida white lawyers contacted by the NAACP he was reluctant to handle the case but stated:

"I was convinced that it was a meritorious case and the boys deserved competent, qualified counsel who would not fail to take every step for them through defense."

Served In Legislature

Ackerman was the only Republican in the Florida legislature for 1947-48. He was municipal judge of Orlando in 1942 and again in 1945-46, after his return from the Navy.

His father, Alex Ackerman, Sr., was a U. S. District Judge in Florida until the time of his death last August.

His grandfather, Amos T. Ackerman, was attorney general of the United States under President Grant.

Brilliant Young Counsel

He was the first southerner to be appointed to the cabinet after the Civil War, about 1869. As a Georgia district attorney prior to his cabinet appointment, he handled the prosecution of the original Ku Klux Klan.

Franklin H. Williams, brilliant young Negro assistant special counsel in the national office of the NAACP, came to Florida in response to the request of J. P. Ellis, president of the Orlando NAACP, for an on the spot investigation of the case.

Williams, a graduate of Lincoln university and Fordham Law school, has been with the NAACP since 1945. He gained national recognition when he argued and won the recent Watts vs. Indiana case before the U. S. Supreme Court. Convinced of the boys' innocence, Williams promised NAACP cooperation

Daytona Attorney

Horace Hill, Negro attorney of Daytona assisting in the case, was admitted to the bar last fall after successfully petitioning the state Supreme court to admit Negro law school graduates on the same basis as white graduates of accredited law schools.

Hill, a graduate of Bethune-Cookman and Howard university, is a professor of business law at Bethune.

Less Talk, More Action

Joseph K. Pierce, young white attorney who helped with the case, is typical of the many young southerners today who are concerned with practicing democracy instead of just talking about it.

Like Ackerman, his is Georgia-born and is a graduate of Stetson university law school.

The lawyers have had to overcome almost insurmountable odds. Motions entered to enable them to have sufficient time to prepare the defense were denied, although Ackerman had only taken the case Aug. 22, one week before the scheduled trial. The four men worked night and day in an effort to accumulate evidence scattered statewide by this time.

At the same time, they had to appear daily in court for the hearing. In addition to this strenuous program, Williams has been traveling around the area in an effort to raise funds desperately needed to fight the case which the NAACP hopes to carry to the Supreme Court in order to get justice for the youths.

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Tension And Fear Scare 9 Lawyers From Defense Of Groveland Youths

Order Frisk Of Trial Spectators For Guns

BULLETIN

TAVARES, Fla. — A brother of one of the three youths held in the Groveland rape case was arrested by orders of Judge T. G. Futch this week. He is James Shepherd, brother of Samuel Shepherd. The arrest was made upon request of the State's attorney. The NAACP charges the action was taken to prevent its attorney, Franklin H. Williams, from interviewing James. Williams stated there is no legal authority for the arrest.

By RAMONA LOWE
(Defender Southeast Bureau)

TAVARES, Fla.—Fear was seen this week as the reason why nine of 11 lawyers have refused to handle the Groveland case in which the alleged rape of a white woman by four youths set off a reign of terror here several weeks ago.

The refusal of the attorneys to accept the case was revealed by NAACP counsel Franklin H. Williams.

Meanwhile inflammatory editorials in the Orlando Morning Sentinel and biased news stories have caused the NAACP to request a change of scene for the trial.

The trial, scheduled for August 29, has been moved to September 1 by Circuit Court Judge T. G. Futch.

Deny Motion

A motion to withdraw the not guilty pleas of the boys: Samuel Shepherd, Walter Irvin and Chas. Greenlee, and to set aside the arraignment made by Attorney Alex Ackerman Jr., was denied.

In the situation involving the lawyers, even court appointed attorney, Harry Gaylord of Eustis, found the pressure too great and backed out, according to Williams.

Gaylord refused to accept a retainer fee to handle the case and would not ask for change of venue. He was replaced by Alex Ackerman Jr., who is representing several Negro students seeking admission to Florida's white colleges.

Rumors of more trouble to come at the trial have spurred Judge Futch to take precautionary steps. He has posted rules governing conduct at the hearings.

Rules Posted

They are: "All spectators must submit to search for concealed weapons before entering the courtroom; no photos are to be taken in the courtroom; there will be no standing in the courtroom when the seating capacity is reached and all spectators not in seats will be turned away."

The reign of terror started in Groveland several weeks ago when it was reported the four youths had raped Mrs. Willie Padgett, white, and assaulted her husband.

The fourth young man, Ernest Thomas, was tracked down by a posse in west Florida and slain.

The NAACP holds that a fair trial of the trio of youngsters is impossible under the present circumstances in the Lake County and adjacent areas.

NAACP To Seek New Trial For 3 Men Convicted In Fla.

Tavares, Fla., Sept. 8— A new trial for Samuel Shepherd and Walter Irwin, 22, and Charles Greenlee, 16, convicted of rape here last week, has been asked by Alex Akerman Jr., Orlando attorney, retained by the National Association for the Advancement of Colored People to defend the accused youths.

In a motion for a new trial filed here on September 6, Mr. Akerman contended that the verdict was contrary to the evidence and to the law and charged the court with error in denying a series of pre-trial motions.

The three were convicted after a three-day trial on September 3 by an all-white jury which deliberated for two hours and recommended mercy for Greenlee. Conviction of Shepherd and Irwin carries a mandatory death sentence whereas the recommendation of mercy for Greenlee prevents sentence of death, imposing long term imprisonment.

The alleged rape of a young white housewife on July 16 set off a reign of terror against Negroes in Groveland and surrounding towns during which Negro homes, including that of Shepherd's father, were burned, other property destroyed and long-resident citizens run out of the community.

On-the-spot investigation by Franklin H. Williams, assistant NAACP special counsel, convinced him of the innocence of the accused and indicated that the alleged rape was merely an excuse for terrorizing the community because Negroes refused to work at starvation wages. No investigation by a grand jury or other official body has been made of the mob violence in and near Groveland during mid-July.

Mr. Williams, together with Horace Hill of Daytona Beach, Fla., assisted Mr. Akerman in defense.

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saw the need of William Pickens in the great drive to sell War Bonds. But it is said these officials had to brush aside the opposition of some of the NAACP leaders in choosing Dr. Pickens for his big job.

For an organization that was founded to promote democracy there has never been in this country any greater display of dictatorship than that attempted against Pickens by top officials of the NAACP—those who had the soft home office jobs, while the field secretary was going throughout the South and doing a great, constructive work for the organization.

It takes no great stretch of the imagination to see that under such a field leadership as William Pickens furnished, the NAACP could now have more than a million members. But it is doubtful that this will ever happen with the home office officials being primarily concerned with making themselves solid with one political party. Right now the NAACP ought to make it clear by acts of its officials that it is independent in politics. It all along has said so in words. It ought to avoid getting into controversies over NAACP members affiliating with Republicans or with the Progressive Party of Henry Wallace. Certainly there is nothing that the N. A. A. C. P. has achieved for itself as an organization by letting the officials put all of their eggs in one basket.

This recital concerning the N. A. A. C. P., it can be hoped, will influence Mr. Current and other New Yorkers in their attitude toward Southerners who are devoted to the cause of the NAACP. They should not seek to crucify persons equally as intelligent as themselves, who happen to differ with New Yorkers on how best to build the NAACP into a strong, uplift force in the South. In this connection, something said by a former New Yorker, now living down South, is worth quoting. He is Dr. Lawrence D. Reddick, eminent Fisk University graduate, now librarian at Atlanta University and who wrote an excellent article for the September "NEGRO DIGEST," title of which is, "Why I Left the North."

Physical Examinations Substantiate Charges Of Brutal Beating

RAIFORD, Fla., — Physical examinations made this week of the three Groveland boys being held here on an attack charge substantiated charges made by Assistant Special Counsel Franklin H. Williams of the National Association for the Advancement of Colored People that the prisoners were brutally beaten by police to make them "confess" to the crime of attacking Mrs. Willie Padgett. Jean Downing, D. D. S., and Nelson Spaulding, M. D., of Jacksonville, confirmed the NAACP attorney's report that lash marks and scars are still visible on the prisoner's bodies and that one of the boys has several broken teeth and another's foot was cut with glass.

The boys were arraigned Friday and trial set for Aug. 29 in Groveland.

In addition to supplying medical care for the youths after prison authorities refused to do so, the NAACP has provided the prisoners with shoes and the first clean clothing made available to them since their arrest almost four weeks ago.

ON — THE — SPOT PROBE

The three boys, Samuel Shepherd, 22, Walter Lee Irvin, 22, and Charles Greenlee 16, were jailed and accused of attacking Mrs. Padgett after she charged that four Negroes had raped her early on the morning of July 16. After the accusation set off a flare of mob violence in the Groveland area, resulting in the burning of three Negro homes (one of them that of Shepherd's father), Mr. Williams made an on-the-spot investigation of the Groveland situation. He gathered evidence indicating that the prisoners are innocent of the charges against them and that mounting anti-Negro sentiment in the area was behind the rioting.

Acting NAACP Secretary Roy Wilkins revealed that contributions for legal defense of the trio began coming in after the Association announced its intention of fighting the case. A gift of $117.38 was received from the students of Bethune-Cookman College, $25 from the faculty and students of Florida Normal and Industrial College sum-

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[P]repare Appeal [Fo]r 'Florida 3'

[T]AVARES, Fla.—Next battleground in the fight for [freedo]m for the doomed "Groveland Three" is the Florida [Supre]me Court, The Courier learned this week. Defense [Attorn]ey Alex Akerman Jr. is preparing an appeal to that [high] state tribunal following denial of his motion for a [new tr]ial after an all-white jury had convicted the trio.

[Thro]ugh Attorney Akerman listed [ni]neteen errors which he charged had been committed by Presiding Judge T. G. Futch Jr. in the original trial. Judge Futch refused to grant a new trial, holding that the three young Negroes had received a fair trial at the hands of the state. They were charged with raping a young white housewife [illegible]

[ST]ARTED TERROR REIGN

The alleged rape of the woman set off a reign of terror against Negroes in Groveland and surrounding towns, during which Negro homes were burned, including that of the father of one of the

...ner school, and $50 from the Southeastern Federation of Colored W...

accused trio, Samuel Shepherd, other property destroyed and long-time residents of Groveland were forced to flee for their lives as hooded riders marauded the area unchecked until two companies of state militia moved in.

On-the-spot investigation, by Special NAACP Counsel Franklin H. Williams of New York, brought the conclusion that the three men were innocent and that "confessions" obtained from two of them had been secured after police had administered brutal beatings to the men. The NAACP then moved into the case and prepared to defend the youths.

Following their conviction by the jury, two received mandatory death sentences, and a third, 16-year-old Charles Greenlee, was given life imprisonment because of his youth. The doomed men are Shepherd, Walter Irvin and Greenlee. A fourth man accused of complicity in the alleged rape, Ernest Thomas, was shot to death in a woods near Groveland by a posse on July 26.

PHYSICIAN DENIED STAND

In his petition for a new trial, Attorney Akerman claimed, among other charges, that the court erred in refusing to admit testimony by Dr. Nelson W. B. Spaulding as to the physical condition of the defendants showing that they had been beaten, when the trial was in progress.

He charged, further, that the court erred in refusing to allow the defendants to testify at the hearing on the motions for continuance and application for removal of cause on the grounds that they had been beaten by officers. He also declared the court erred in admitting alleged casts of tire tracks and shoe prints over the objections of the defendants.

NAACP officials in New York declared that the fight would be taken to the nation's highest tribunal, the United States Supreme Court, in an effort to save the three youths.

NO OFFICIAL PROBE

No investigation, they charge, has been made by a grand jury or any other official body of the mob violence which swept Groveland following the incident. Nor has any action been taken by the United States Department of Justice, in spite of the mass terrorization of the Negroes of the city.

Attorney Akerman told The Courier last week that the fight to save the three boys has just begun and that he expects full support from Negroes in his efforts to gain freedom for them. He is being assisted by Attorneys Williams and Horace Hill of Daytona Beach, Fla.

Hate Rides Through Florida

How Violence And Hysteria Reigned In A Florida Sawmilling Town For Days

GROVELAND, Fla.—When Mrs. Willie Padgett claimed that four Negroes had raped her early on the morning of July 16 (although her testimony has never been printed, and medical evidence on which the charge was based has never been made public), justice, the rural Florida variety—was set into motion.

Four Negroes, Mrs. Padgett said.

Sammy Shepherd, 22, had become sort of "uppity" of late, with those Army ideas about equal rights. His father, Henry, had a nice house on a good piece of property near the road — where black folks weren't supposed to be. Sammy Shepherd would be a good one to have out of the way. He was arrested and charged with rape.

Four she said.

Walter Lee Irvin, also 22, was a pal of Sammy's. They were together on the evening of the alleged rape. Like the Shepherd family, the Irvins were fairly prosperous, they had a neat, decent house, imitation brick, with a screened porch. Too nice for black people. Walter Lee was thrown in jail with Sammy and charged with rape.

Mrs. Padgett said four.

Charles Greenlee, 16, heartbroken when his two young sisters were killed by a railroad train wandered to Groveland from his home in Santafe, Fla. Picked up as a vagrant, he was a prisoner in the Tavares jail when Shepherd and Irvin were herded in. Charles made a handy third victim on which the Lake County "law" could hang a rape charge.

But she said four.

Ernest Thomas ran away. Maybe he knew they had it in for him because he had been in Greenlee's company that fateful night and they needed four. In a swamp near the town of Perry, the sheriff's posse caught up with Ernest—and shot him dead. ("A lawful killing," declared the coroner's jury — he was "unlawfully armed with a deadly weapon—while attempting to shoot and murder public officials and those in the lawful aid and assistance of said public officials.") Five unidentified witnesses were called; no testimony was made public.

TERROR RIDES AT NIGHT

Violence flared in Groveland. Automobiles from Georgia, Alabama and neighboring Florida counties moved surreptiously into the area. A mob completely outnumbering local police and National Guardsmen who had been dispatched to the scene, thundered at the jailhouse door, clamoring for the prisoners.

When the sheriff told the mob that the prisoners were no longer there, that they had been moved to an "undisclosed jail," the torch of violence was ignited. Deputies, patrolmen and guardsmen were dispersed and the mob moved into power.

Groveland became a town of nightmare, as the marauders began shooting, yelling and swarming through the Negro sections of town. Three homes, one of them Shepherd's, were burned to the ground. Four hundred terrorized Negroes fled from the little sawmill-farming community.

This was peace in Groveland, Florida, four years at Victory Day in the war to save democracy.

THE NAACP TAKES ACTION

An on-the-spot investigator for the National Association for the Advancement of Colored People, gathered evidence indicating that the three youths are entirely innocent of the crime with which they are charged. He discovered that the prisoners were brutally beaten by police to force them to "confess"; that after two weeks, the lash scars on their bodies and cuts on their heads made by these beatings were still clearly visible.

They had severe cuts on their wrists, inflicted when they were hung from a pipe with handcuffs. The sole of Greenlee's left foot was cut with glass, and Shepherd had three broken teeth and a dislocated jaw.

No doctor had seen the boys when the NAACP attorney interviewed them. They were still wearing the same clothing, dirty and bloodstained from the beatings, in which they were attired when they were arrested.

But even in terror-ridden Klan territory, the spirit of free will can survive against overwhelming odds. No amount of suffering made any of the boys sign the confessions their oppressors attempted to force upon them. Greenlee and Shepherd, in a state of complete exhaustion after the cruel whippings inflicted on them, finally nodded tortured "admissions" of guilt; Irvin, though beaten into unconsciousness, at no time agreed that he had anything to do with the crime.

TO FIGHT FOR JUSTICE

The NAACP, convinced of the innocence of the prisoners, believes that justice can be secured—even for a Negro accused in a Klan dominated setting. Even in a community where mob hysteria and the cry for vengeance is stimulated through biased newspaper editorials prodding the populace to act to violence with the assertion that "There is only one way (to) act, that is to take justice into our own hands." Even in an area where the leading morning daily assumes the guilt of the accused before their trial and screams for "The Supreme Penalty—No Compromise" in an inflamed front page editorial cartoon.

The NAACP says the reign of the mob must stop! There must not be another Groveland. The Klan must know we mean business.

We will not be intimidated by newspaper theats that "If smart lawyers or agents of different organizations seek to hamper justice through the employment of legal technicalities, they may bring suffering to many innocent Negroes."

Every legal step possible will be taken to defend the three accused youths, to secure their liberty, and to guarantee the safety of Negroes in the Groveland area. The NAACP will throw its resources into the case and will fight with all its power against violence and continued intimidation of Negroes in the South.

It will wage the battle against race hate and lynch law until final victory is won, until the United States can stand proudly before the rest of the world with its head held high in the knowledge that at last the forces of democracy have completely triumphed.

WOMAN'S ATTACK TALE 'HOAX'; BLOODHOUND HUNT CALLED OFF

BY RAMONA LOWE

ST. PETERSBURG, Fla. — (ANP) —A white 17-year-old housewife's tale of being brutally attacked by a Negro plus exhibition of clothing she allegedly wore and which were ripped into pieces during the attack, started a sheriff's posse complete with bloodhounds, off on a kill-thirsty hunt for the culprit here last week. But after the initial hue and cry was raised, police decided the woman must have been dreaming, and called off the hunt.

The woman's tale, now labelled a "hoax," was that she had been forced onto a bed in her home in the morning by a tall thin Negro with a scar on one cheek. She said the man threatened to stab her baby with an ice pick if she screamed. Three workmen told police they saw a man answering the description walking in the woods nearby.

Taken to the emergency room of Mound Park hospital, the woman refused to let doctors examine her. There were no visible signs of bruises, although she claimed she had been slapped and kicked—she told police she had erased the marks with ice water.

Neighbors said they were unaware that anything unusual had been happening and denied that her dog had barked all morning, as the woman had claimed.

The alleged victim moved here from Panama city where, not so long ago, a tie was jerked from a Negro's neck because it made him look "too dressed up."

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egro Brothers Confess Murder of Guam Beauty

Lie Detector Breaks Case Of Brutal Rape Slaying In Jungle

GUAM, Jan. 13—(AP)—Three Negro U. S. Air Force men were charged today with raping pretty Ruth Farnsworth, former Wac, and leaving her unconscious in the jungle to die.

A lie detector and a recovered watch broke the month-old myst

The American governor of Guam identified the accused as Pvt. Calvin Dennis, 26, of Frederick, Md.

Pvt. Herman Dennis, 20, of 832 Blake Street, Indianapolis (a relative at that address said Dennis enlisted from there but actually lived at Belton, Tex.)

S.Sgt. Robert W. Burns, 32, Spokane, Wash.

Calvin and Herman are brothers. The three are accused of kidnaping, rape and murder.

* * *

MISS FRANSWORTH, 27, of San Francisco, was seized last Dec. 11 in a jade shop where she was working part time so she could buy a trousseau for her marriage next April to a Marine. She was knocked unconscious, carried out to a jungle and raped. A searching part found her there 12 hours later. She died Dec. 13 without recovering consciousness.

Lt. Comdr. James J. Hackett, assistant chief of Guam police, said the brothers confessed their part in the crime after a lie detector trapped Herman.

Then, Hackett said, Miss Farnsworth's frock was found in a weapons carrier of which Calvin Dennis was the driver. The torn garment was under the seat. Hackett, a Chicago police lieutenant on leave with the Navy, said Herman Dennis later led police officers to a point in the jungle where Miss Farnsworth's sandals had been found.

There, after crying out not to be forced to go further, Herman recounted the crime, Hackett asserted. Fifteen men were held for questioning when Al Riedel, an inspector of the Berkeley, Calif., police force, arrived recently with a lie

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HACKETT SAID the detector was used on five men. The fifth, Herman Dennis, then was subjected to questioning until he confessed and implicated his brother.

Rear Adm. Charles A. Pownall, governor of Guam, gave this summary:

"The best reconstruction possible at this time indicates the three men visited the jade shop on the evening of Dec. 11. Finding Miss Farnsworth alone, one man struck her down, and another went to the generator in the rear of the shop to extinguish the lights.

"The man who had extinguished the lights came back into the shop, picked her up and, accompanied by the other two men, carried her outside the shop into the wooded jungle area in the rear. Miss Farnsworth at this time was in an unconscious condition from the blow she had received.

"She was carried along a jungle trail and through an overgrown clearing, where she was assaulted. After assaulting Miss Farnsworth the men returned individually to their barracks."

COURT ADMITS GI'S CONFESSION IN RAPE-SLAYING

Chicago Daily Tribune

Chicago, Ill.

GUAM, May 13 (AP)—The prosecution today introduced a statement made by Herman P. Dennis that he raped Ruth Farnsworth three times after she had been beaten unconscious.

The Negro air force private took the stand before the statement was introduced at his murder trial. He said he made it only after he was threatened with hanging.

An air force court martial admitted the statement as evidence after argument for an hour and a half. The prosecution rested its case thereafter.

Accuses Sergeant

The account named Sgt. Robert W. Burns as the Negro who knocked the San Francisco girl unconscious Dec. 11 in the Guam jade shop where she worked. Burns and Calvin Dennis, a half brother of Herman, have been granted separate trials.

The controversial statement said Herman Dennis picked up Miss Farnsworth after she was beaten to the floor and carried her into the jungle behind the shop. There, the statement continued, Burns also attacked the dying girl. It added that Herman Dennis did not know whether his half brother also raped the girl.

The account said Calvin Dennis and Burns rode together in a truck to the jade shop. Then Herman Dennis went in and established that Miss Farnsworth was alone.

Threatened With Hanging

He went outside, the confession went on, and then the three entered the shop. Burns knocked the girl to the floor, and Herman jerked a wire putting out the lights.

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Herman testified that Lt. Comdr. James P. Hackett of Chicago, Guam police chief, and Police Inspector Al Riedel repeatedly told him they would see him hanged if he would not talk. Hackett told him what to say and showed him a picture of a Filipino being hanged on Guam, he testified.

Hackett and Riedel then denied this testimony. Hackett also denied he had told Dennis he might get off with a 10 year sentence if he would confess.

GI GETS DEATH AS RAPE-SLAYER; SALUTES COURT

Chicago Daily Tribune

Chicago, Ill.

GUAM, May 16 (AP)—A 20th air force court martial today convicted Pvt. Herman P. Dennis Jr. of the rape murder of Miss Ruth Farnsworth and sentenced him to death.

The 20 year old Negro saluted smartly when the president of the court, Lt. Col. Gerry L. Mason of Las Vegas, Nev., pronounced sentence. The verdict is subject to review by the commanding officer of the 20th air force, the air force board of review in Washington, and President Truman. The form of execution is to be determined later.

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Two Others To Be Tried

Dennis, his half brother, Pvt. Calvert Dennis, and another Negro, Staff-Sgt. Robert W. Burns of Spokane, Wash., are accused of beating and raping the San Francisco girl last Dec. 11. Calvert Dennis of Seguin, Tex., will be tried next.

The court deliberated 1 hour and 26 minutes. Defense counsel asked the court not to announce the sentence but was overruled. The defense argued publication of the sentence might affect the subsequent trials.

May Testify Against Others

The convicted man, if he chooses, may testify against his half brother and Burns. The prosecution may need Dennis' testimony in the Burns case.

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Miss Farnsworth, a navy employe, was seized in a souvenir shop where she worked after hours, dragged into the jungle and raped and beaten. She died several days later in a Guam hospital.

1st OF 3 RAPE-MURDER TRIALS OPENED BY ARMY IN HONOLULU

GUAM, May 9 (AP)—The prosecution declared today it has evidence of [illegible] would prove [illegible] Dennis Jr., 20, [illegible] slayers of [illegible] Farnsworth. Dennis, of [illegible], Tex., is the first of three airmen being tried separately by a 20th air force court martial. The two others are his half brother, Pvt. Calvin Dennis, 27, of [illegible], Md., and Staff Sgt. [illegible] Burns of Spokane, Wash.

Lt. Col. Kenneth B. Chase, opening the prosecution, said: "Finally the guilt of the accused will be firmly established by words spoken from his own mouth."

Chase and Capt. Harold Anderson of Brooklyn, N. Y., developed in opening testimony that the pretty civil service girl from San Francisco was seized in a jade shop the night of Dec. 11 and carried into the jungle. She was beaten, ravished and left unconscious.

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'Rape' Frameups Mounting: Negroes, Whites Fight Back

Attacks against the Negro people continued heavily in the South this week. Negroes in every section of the South are carrying on campaigns of struggle against Jimcrow.

The U. S. Supreme Court refused the appeals of two Mississippi Negroes who were convicted of "rape." One of the men, Willie McGee, will be electrocuted. No date has yet been set for his death. The other Negro, Albert Lee, was sentenced to twenty years.

A Houston, Mississippi grand jury will investigate the case of Robert Lee Gates, a Negro charged with "rape" of a white woman. The same grand jury is investigating the case of three white men who are charged with murder in connection with the death of a Negro farmer, Macolm Wright, 45. He was beaten to death this summer while his family witnessed his fatal torture helplessly.

Waycross, Georgia's sheriff Eriu W. Johnson held a Negro here on charges of raping a white woman. Johnson said the Negro denies guilt.

In New Orleans two Negroes were arrested Tuesday and booked at the 5th precinct police station with charges of raping a white woman. The Negro men are Milton Bienamee, 34, and Johnny Williams, 21.

Jimcrow in education was upheld in Baltimore when Chief Judge W. Conwell Smith refused to issue to a young Negro woman an order that she be admitted as a student in the University of Maryland nursing school. She is Esther McCready, 18, of Baltimore.

Governor Scott of North Carolina, under pressure of position suits by Negroes of that state to equalize educational facilities, admitted that Negro schools are in a "deplorable" state. He admitted that the state was not granting an equal amount of money for Negro education. In Florida, Georgia, Virginia, Mississippi and Alabama campaigns to smash Jimcrow in education are being carried on by Negro citizens.

NEGRO EMPLOYES of the Atlantic Coast Line Railway have taken court action against the railroad and the Brotherhood of Locomotive Firemen in an attempt to end the Jimcrow employment policy. A stipulation looking to the annulment of a railroad-union agreement prohibiting the use of Negro firemen on ACL Diesel powered passenger trains has been filed in Federal district court in Richmond.

Negroes and whites were fighting back against those who profit from a klan and Jimcrow policies. A crusade by women's clubs and other organizations in Cedartown, Ga., to ban the wearing of masks came to a climax when the city commission passed an anti-masking ordinance. City and county property haave been denied the Klan for organizational meeting places.

...n Arrested In ...ed Attack ... Saturday

...year-old youngster identified ...olmen R. W. Boyd and J. H. ...er as Jimmie Simms, of 263 ...lace, N. E. Apt. 3 was arrest... ...ection with the alleged ... of a 12-year-old ... morning in the ... Avenue and Hil... [illegible] ...ounted the victim ... she and a girl friend ... sandwich around 1 a. ...home they noticed three ...gambling on the side... One of the youngsters is re... to have grabbed her arm, ...ter threatening her with a ...forced the victim to accom... ...the rear seat of an old ...automobile, parked across ...

...being detained by the per... for approximately two ...the victim called the offi... ...enroute to the Police Station ...girl to get a statement. ...Boyd and Langley passed ...youngsters and the victim point... ...as the perpetrator. This ...found later at the scene ...alleged crime.

...ttack Suspect ...hisked Off To ...ndisclosed Jail

...l's Quiet Reported In Small South Georgia Town

...ASHVILLE, Ga. — (INS) — ...an County Sheriff N. N. Hughes ...Monday night he had arrested ... and released another in ...ction with the attack on a ...young white woman that almost ...d the quiet South Georgia ... of Nashville into a scene of a ...

...f Hughes refused to identify ...Negro and said he had been ...to an undisclosed jail for safe...

...Negro who had been arrested ...was released Monday. The ...Negro held was booked on ...of the attack.

Hughes calmed a lynch-bent group Sunday afternoon with what he called down-to-earth arguments. The mob tried to take a Negro thought to have information in the attack of the woman.

The Negro was taken at his home shortly after the attack was reported Sunday afternoon. The men wanted to know if he could tell them who the Negro suspected of the attack was and where he was was hiding.

The Negro balked, telling the group he would talk to no one but Sheriff Hughes.

Hughes stilled the mob by telling it that "they were going to get themselves into more trouble than they would ever get out of."

The Sheriff said all was quiet in town Monday and that there "was not a ripple on the water." He said the housewife involved in the attack had many relatives in and around Nashville and "that was one of the troubles."

Girl, 12, Tells Of Fighting Off Negro Assailant

A 12-year-old Southeast Atlanta girl yesterday told police she fought off a Negro man who grabbed her as she was walking home from her music lesson in Lakewood Heights.

Dets. H. G. Mann and O. L. Adams said the girl told them she took a short cut along the railroad tracks to Miller Reed Avenue. As she walked past some boxcars, the girl said a Negro man leaped out and grabbed her.

"I bit his hand and kicked his shins and got loose," she said. Detectives said the girl then ran home—a distance of more than a mile—without looking back to see if she was being followed.

She described her assailant as about 25 years of age, of medium build and wearing dungarees.

Hunt Man In Backyard Attack Case

Atlanta police last night pressed a search for a shirtless Negro man who seized a 46-year-old white woman in the backyard of her home, ripped her clothing, choked and assaulted her.

A heavy downpour of rain immediately after the incident made it impossible to track the youthful Negro with bloodhounds, Dets. J. E. Helms and W. M. Holland said.

The woman, who told police she was burning trash when the Negro seized her, did not require hospitalization, detectives said. They added her face was scratched and she was badly bruised.

The victim said she had no warning that anyone was near until the Negro suddenly grabbed her, placed his hand over her mouth and hurled her to the ground.

Neighbors' houses were too far away for anyone to hear an outcry as the woman battled her assailant. Her clothing was taken by detectives as evidence.

Several times during the scuffle the woman "blacked out," detectives related. She said the Negro choked her and threatened to kill her if she made an outcry.

After several minutes of struggling, the woman said the Negro fled back through a corn field and into a wooded area. She described the Negro as about 20 years of age, five feet, ten inches tall and weighing 140 to 150 pounds, wearing brown work trousers and no shirt.

Sex-Attack On Girl, 9, Laid To Atlanta Man

A 57-year-old Atlanta man Tuesday had been detained at Police headquarters for questioning in connection with an alleged sex-assault on a 9-year-old girl, police reported.

Police listed Charlie Barron, of 266 Cypress Terrace, N. W., as the arrested person and charged him with suspicion of rape, the report said.

According to police, the 9-year-old girl was locked in the suspect's room where he allegedly indulged in copulative cohabitation with the child while another girl companion looked on.

Police said the child alleged the suspect called her to his room after she had come to visit a playmate. She told police that the suspect locked the door and she could not get out. The other girl, she said, was in the room at the time of the alleged assault, but did not try to interfere.

Gwinnett Tracks Woman's Assailant

By KEELER McCARTNEY

Scores of Gwinnett County citizens yesterday formed a huge posse in an unsuccessful attempt to track down a Negro man accused of attempting a sex attack on a young Luxomni housewife.

Bloodhounds from the County Prison led possemen on the trail for a considerable distance and then lost the track. Gwinnett Sheriff T. J. Johnson, a group of deputies, the Georgia Bureau of Investigation, and a number of volunteers continued the search after nightfall.

The attack—the third such incident in Gwinnett County in recent weeks—came 30 minutes after the husband left for Atlanta. Sheriff Johnson said the 25-year-old woman was lying on a sofa in the living room of the home when the Negro entered through a rear door and suddenly seized her arm.

As she fought and screamed, her five-year-old son dashed next door for help, Johnson related. She succeeded in freeing herself and fled to the home of a neighbor, who notified the Sheriff.

Johnson said the woman was frightened and hysterical, but uninjured.

Volunteer possemen by the scores gathered to aid deputy sheriffs in the search, Johnson said. The GBI was called in to aid in the investigation.

The trail led from the home through a wooded area.

Johnson said a similar incident occurred in Luxomni—about 25 miles northeast of Five Points—at about the same time last year. Investigators added two other attempted assaults were reported in Gwinnett County in recent weeks.

Holds Man For Attack On Baby

A Hunter Street man yesterday was being detained at police headquarters on charges of assault and battery in connection with his alleged assault upon an infant girl, police reported.

The jailed man, docketed as Paul Ragland, of 867 Hunter Street, S. W., was charged with taking a 3-year-old girl to his upstairs apartment where he allegedly made a statutory assault upon her. The grandmother of the baby girl was in her room during chores as the child was left alone to play in the hall.

At Grady Hospital, the young child was treated and dismissed.

Police said Ragland was apprehended after they had been summoned to the scene of the crime. Police were told that the child's grandmother heard a scream upstairs and rushed to investigate. She pushed open the door of Ragland's room and found the child stretched out on the bed.

Attendants at Grady reported the child's condition was not serious and said they had not determined whether the girl was actually raped.

Police booked the tenant on charges of assault and battery.

Woman Charges Assault Attempt

A 40-year-old Chicago woman yesterday told police a "tall Negro" man attempted to assault her in a [illegible] avenue hotel room where she was asleep beside her husband.

The woman told Dets. J. M. Pack and J. W. [illegible] she awoke to see the Negro partially dressed, standing over her. The detectives said hotel employees saw no one answering the Negro's description enter or leave the hotel.

Rape Suspect Identified By Victim After Capture

Robert Lee Kirkendoll, 19, Negro, of 4940 Prairie av., held on suspicion of rape, was questioned yesterday by police and the state's attorney's office. Detectives Howard Pearson and William Healy, who arrested Kirkendoll on description, said that the rape victim, a white woman, identified him. Kirkendoll denied the charge. The victim was attacked May 19 in a shed at the rear of 821 E. [illegible] st.

Lost Records Form Basis For Freedom

By Richard Goldsberry
(Exclusive Interview)

Freedom at last was in prospect this week for James Montgomery, who has spent 25 of his 54 years jailed on a framed-up rape charge.

According to a Waukegan (Ill.) physician, Montgomery, imprisoned at the Statesville penitentiary for the alleged rape of a Zion City white woman in 1923, is innocent.

This shocking revelation was made by Dr. John E. Walter in habeas corpus proceedings for the prisoner before U. S. District Judge Michael L. Igoe, Monday.

No Rape Evidence!

Dr. Walter testified that he had examined the woman, Miss Mamie Snow, 62, at Waukegan's Victory Memorial hospital after the alleged attack and found no evidence of rape.

He said Miss Snow, a notions peddler, had suffered a few scratches on the face.

A photostatic copy of the written report Dr. Walter made out at the time he examined Miss Snow was introduced as evidence at the hearing to substantiate Montgomery's claim he was "railroaded to prison on a frameup charge."

Dr. Walter, who should have been Montgomery's main defense witness at a trial dominated by Ku Klux Klan atmosphere, told Judge Igoe that he had been unaware of Montgomery's conviction until a request for the hospital records was made by an attorney representing the prisoner.

"Shocking Situation"

"This is as shocking a situation as ever came to light here," Judge Igoe declared after examining the records. "All the time this man was in prison the hospital record was in Lake County."

Asking why the prosecutor did not use the record, Judge Igoe said the evidence "certainly would have resulted in acquittal." He continued the hearing to Aug. 10.

When Asst. U. S. Atty. Raymond F. Thiesse asked Dr. Walter why the record was not called to the attention of the Lake County State's Attorney, the physician replied:

"You didn't know our prosecutor at the time. If he didn't get his way there was trouble."

Testimonial Refused

A. V. Smith, the prosecutor, was one of the Lake County officials who refused to let him testify at his trial, Montgomery said in an interview at Statesville prison Wednesday.

"They had stacked the cards against me at the very beginning," explained Montgomery, a short, stocky graying man whose face shows scars he said were healed wounds suffered during a beating by Waukegan police shortly after he was arrested on the rape charge in a poolroom at Browning ave. and Sheridan rd., Waukegan.

"Two policemen came into the poolroom Nov. 15, 1923, and accused me of raping a woman on the picnic grounds in North Chicago, two miles from Waukegan," Montgomery started to relate his story.

Police Brutal

"One was Tom Kennedy, the other was Sgt. T. Boots. They took me to the station and beat me in an effort to make me admit to having raped a woman," the prisoner said.

The following day, Montgomery went on, a woman with scratches on her face was brought into the station to identify him as the man who had attacked her, but the woman said he was not the man.

"After she left, the policemen beat me with their fists and blackjacks, cutting my lips, injuring my eye, and cutting a deep gash on my head," he explained. "I was held for 15 days without being booked."

A week later, the woman was brought back to the station and again she said he was not the man, Montgomery added.

"Kennedy tried to force the woman to say I had raped her, but she still insisted I was not the man."

Arrested Colored Man

When asked why he was arrested, Montgomery replied:

"When there was any trouble in town, they would arrest a colored man. They seemed to pick on me. I guess it was because I threatened to sue a policeman who raided my house without a search warrant.

"During those days there was a whiskey squad in Waukegan that raided Negro homes. They raided mine, broke the locks off my doors and threw my wife's clothes into the streets.

"I was in church at the time of the raid. I told the officers that if they did not pay for the damages they had caused, I would sue them. One of the policemen called me smart, and said they would fix me later."

On another occasion, Montgomery said the squad raided a poolroom he managed when he was not moulding for the Hurley Machine Co., "and because I would not give the officers any graft I lost my job."

At that time, Waukegan was "filled with graft, and the prosecutor ran the raiding whiskey squad," commented Montgomery.

Declaring he was arrested on suspicion in the rape case, Montgomery said when he was first taken into the Lake County Circuit Court, his bond was set at $7,000.

Sets $100,000 Bail

"The sheriff told Judge Claire C. Edwards to raise the bail to $100,000,'" related Montgomery. "The trial started in December, 1923."

After the three-hour trial, Montgomery said the jury went out, deliberately for about 30 minutes and returned with a verdict of guilty on charges of assault, attempt to rape and rape. He was convicted Feb. 4, 1924, and sentenced to life in Statesville.

Montgomery said he petitioned the parole board in 1927 for his freedom, but Prosecutor Smith fought against it.

"I have been before the board of pardon and paroles four times since 1944, and I was turned down each time," he disclosed. "I prepared this latest petition for my freedom in the last two years."

Montgomery said his wife has remained loyal since he has been in prison, and has worked "very hard in aiding me." It was through a lawyer in Milwaukee that the hospital records were found and presented at the habeas corpus hearing.

Born in Humboldt, Tenn., Montgomery said he married at 18.

He is the father of five children, two of whom are living. They are sons, James, 30, reported living in Mississippi, and Alex, 29, residing in the Virgin Islands.

His first wife died shortly after he was discharged from the army of World War I. His present wife resides at 532 Market st., Waukegan.

When he first entered prison, Montgomery said he had only a fifth grade education, but since that time, "I have learned much under the instruction of Nathan Leopold."

During his 25 years at Statesville, Montgomery has been under six wardens, learned to be a boiler maker, "and to read and think instead of talking so much."

When asked how he felt about his new hope for freedom, the prisoner smiled:

"I am happy. It does not seem real. I have been pushed around so much."

Punishment and Crime

One of the most horrible and shocking instances of the miscarriage of justice in modern U.S. history was brought to light last week with the release, after 26 years, of James Montgomery of Waukegan, Ill., for a crime which never was committed.

Montgomery was convicted on a trumped-up rape charge and sentenced to life imprisonment because the State's Attorney (now dead) deliberately forced the concealment of medical testimony that the alleged victim—also deceased—(a 62-year-old white peddler) had not been attacked.

This official, a member of the Ku Klux Klan, threatened Montgomery with Klan retaliation if he presented any witnesses in his own behalf and in addition, Montgomery was mistreated by the chief of police, now also dead, who boasted of his membership in the Klan.

Through all of these years, Mrs. Setoria Montgomery, now ill, stuck by him and battled for her husband's freedom. Luis Kutner, an attorney, who has been working on the case for the past two years, last week obtained Montgomery's release.

Montgomery received the usual $10 given to each prisoner upon his release, but Kutner plans to file a claim for $100,000 through the State Legislature. Failing there, he will seek action through the courts.

But there is not enough money in the world to repay Montgomery for what he has suffered and for what he has lost through this perversion of justice motivated by prejudice and fear.

How many other Montgomerys there are today languishing in prison, one will never know but certainly there must be many of them—victims of the same prejudice and vindictiveness which robbed an innocent Waukegan man of the best years of his life.

One shudders to think of their plight. It could have happened to any one of us.

Not until public office is made attractive enough to draw men of high character and fairness to law enforcement agencies, can we ever be free of such prostitution of the democratic processes.

SECOND WOMAN NAMES SUSPECT IN RAPE ASSAULT

Other Victims to View Prisoner

Levi Wilson, [illegible] foot 2 inch Negro seized by police Saturday night shortly after he allegedly had raped a student nurse on the far south side, was identified yesterday at the detective bureau show-up by another woman as the man who attempted to rape her.

Wilson, powerfully built, who gave his address as 5949 Michigan av., denied both the rape and the attempted rape. He will be given a lie detector test, and shown to other victims of sex assaults.

Mrs. Lucille Reese, 35, of 4720 Dorchester av., identified Wilson unhesitatingly as the man who grabbed her in Woodlawn av., between 47th and 48th sts., about 11 o'clock Wednesday night as she was walking home from work, and threw her into a screen of bushes. He attempted to gag her, but she screamed, and two men came running up, forcing her assailant to flee, she said.

Captured Under Porch

Wilson was captured hiding under a house porch near a golf driving range at 93d st. and Euclid av., after a brief search by scores of police and citizens.

A short time earlier, police said, the Negro seized the student nurse, 20, under a viaduct in 92d st., near Colfax av. She was walking home from a movie at 92d st. and Commercial av., at the time.

The victim said her attacker first asked her for directions to State st., then jumped from his car, seized her and dragged her to a nearby yard where, she said, he raped and beat her.

The girl's screams brought several men to the scene as the rapist fled. One of the men grabbed him, but could not hold on. He last was seen running across the golf driving range.

Four Squads Respond

Police were called, and four squads responded. Squad car lights and private car lights were played across the field, finally revealing Wilson under a porch on the edge of the golf range.

Sgt. Lawrence Selback and a squad quickly routed him and took him to South Chicago hospital where the nurse, under medical treatment, identified him.

Wilson's car later was found under the viaduct where the girl said she had been seized.

A Lie And A Headline Scare Chicagoans

A lie told police by a 22-year-old white woman and a misleading newspaper headline created such high tension on Chicago's southside last Thursday that 10 squads of police were rushed into the area to prevent what might have been a full-scale race riot.

The Southside disturbance occurred [illegible] 250 heavily armed police officers were trying to flush Ernest Craig, mad gunman, from a westside home miles away.

The Southside incident occurred when Mrs. Dorothy Skeoch told neighbors [illegible] her home by her screams that a Negro intruder had strangled her six-day-old baby to death after stealing her wristwatch and attempting to attack her.

Mrs. Skeoch lives in the Park Manor section where there has been recent resentment against Negroes who have been purchasing property in the area.

While police began to question Mrs. Skeoch, many neighbors gathered and began to search for the Negro slayer. Fearing racial trouble, 10 squads of police were rushed to the area just in case.

Meanwhile the Chicago Tribune appeared on the streets with a headline reading:

"SLAY NEGRO WHO SHOOTS FIVE; PROWLER STRANGLES BABY"

As police maintained a vigil against a possible racial clash, detectives found Mrs. Skeoch's watch and forced her to admit there had been no Negro intruder and that she had killed her own child.

By this time, however, the story told by Mrs. Skeoch had been picked up by news services and wired to all sections of the country.

In later issues the Tribune revised its headlines to correct the first faulty impression, the irate neighbors returned to their homes; police jailed Mrs. Skeoch and peace returned to Chicago's southside.

7950

MUSIC SENIOR ACQUITTED
OF ATTACK CHARGE ON WOMAN

Indianapolis, Ind. (NNPA) Henry J. Richardson, Jr., prominent attorney, won an unusual victory in Marion County Criminal Court last week when John D. Watson was acquitted of a charge of assault and battery with intent to rape.

The complainant in the case was Lucy Scott, 25 year old white Kentuckian, who accused Mr. Watson of attempting to choke her and throw her on the ground on Highland Ave., on the night of Sept. 21, 1948.

Veteran court observers said Mr. Watson's exoneration was unusual because of the racial identities and the complaining witness, racial tension in Marion co. and the local crime wave.

NOT A CRIME SCENE

Mr. Watson, a senior student at the Arthur Jordan College of Music and a prominent local nusician, testified that he was not at the scene of the crime and was able to prove positively that on the night of the alleged attack he was at home.

The demeanor of Mr. Watson on the stand and his reputation in the community are believed to have been factors which weighed heavily in the outcome of the trial.

Five witnesses, including Mr. Wtason's wife, a local school teacher, testified as to his whereabouts on the night of the alleged crime.

Judge Herbert Spencer, who presided at the trial, returned the verdict for the defendant.

He indicated that one of the factors on which he based his decision was the fact that, although both Mr. Watson and Miss Scott were employed at the Richardson Rubber Co., the evidence showed that Mr. Watson had never had any contact with her, that they worked different shifts.

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7951

Lynch Attempt Victim Indicted

LAFOUSAS, La.—Edward Honeycutt, 22, who narrowly escaped lynching by three armed men who kidnapped him from the jail here, was indicted by the grand jury last week on charges of raping a white woman, although his three white abductors were not indicted.

The three men, Ariel Ledoux, Maxile Savoy and Edward Miller are under $5,000 bond, however, and Dist. Atty. J. Y. Pontenot said that their cases had been held over for the next session of the grand jury.

Honeycutt escaped after the kidnapping by jumping in the river and swimming under water until rescued at dawn.

Foils Would-Be Lynchers, But Is Indicted For Rape

LAFOUSAS, La., (ANP)—Edward Honeycutte, 22, who recently escaped from a trio of would-be lynchers, was indicted here Saturday on a charge of rape.

Honeycutt was jailed last month on the charge of raping a white woman. He was removed from his cell at pistol point by three white men who held up the 70-year-old jailer. The captors stopped on a levee of the Atchafalaya river and tossed coins to see who would kill the youth. While they were doing so, Honeycutt jumped into the river and was later found clinging to a tree in the waters of the river by a fisherman. Police, in hot pursuit, caught up with the three would-be lynchers, who are now out on $5,000 bond.

FIVE CASES UNDER GRAND JURY'S EYE

Two Murder and 3 Rape Charges Probed

The Orleans parish grand jury hearing evidence in two murder cases and three rape cases — adjourned at 6 p. m. Thursday after being in session since 10 a. m. The jury planned to reconvene at 7:30 p. m.

Among cases on the jury's docket was a review of evidence obtained in the alleged fatal stabbing March 12 of Samuel Jones,

7952

Rape Attacks Reported by Girl, Woman

Baltimore, March 29 (AP)—Police investigated today the rape of a 6-year-old girl and the attempted rape of a 27-year-old woman less than three hours later.

The attacks were said to have taken place yesterday within one mile of each other, and in both cases the victims were threatened with sharp instruments.

Police said the girl reported hearing a window opened in the basement of her home about 2:15 p. m. She said a man approached her bed, brandished a pair of shears and warned "If you scream, I'll kill you."

Patrolman Eugene Dailey said the girl described her assailant as a Negro wearing a leather jacket.

The woman reported an intruder entered her second-floor apartment about 4:45 p. m. and threatened her with a knife. She said she cut both hands on the knife in an attempt to defend herself, screamed and ran from her bedroom.

White Girl Cries 'Rape'

PHILADELPHIA

Although their accuser admitted at a magistrate's hearing that she lied, two 25-year-old North Philadelphia men are being held by police on charges growing out of the alleged assault on a young married woman.

The defendants are Emmett Bethea, 1218 N. Warnock St., who is being held without bail for a further hearing Friday; and Norris Lawrence, 2146 N. 30th St., who is being held in $1000 bail for a hearing at the same time.

The men were arrested Monday night on the complaint of Mrs. Viola Bernerdi, 23, white, of 1217 N. 11th St., whom police found with the two men in a car at 40th and Market Sts.

Woman Charges Attack

A patrolman said he stopped the car, owned by Lawrence, after it passed through a red light. While questioning the men, the officer, according to the officer, accused Bethea of criminally attacking her and Lawrence of attempting to do so.

At a preliminary hearing before Magistrate Jacob Dagole, the next morning, Mrs. Bernerdi admitted that she had made the accusations, but said she had "become excited" and had "lied."

She said she was acquainted with both Lawrence and Bethea and that she had willingly gotten into the car at Fourth and Market Sts.

Raid by Police Unearths Child

Found to Have Been Assaulted by Adult

PHILADELPHIA

Burning resentment against the suspected kidnapers was mixed with almost hysterical joy which marked the return of 4-year-old Blanche Lee Jennings to her home, 1012 S. 11th St., this week.

The child, target of an eight-State search since her disappearance on Oct. 15, was found by police in an after-midnight raid on an apartment just eight blocks from her home.

Charged with kidnaping the little girl, Jake Burress, 47, and his wife, Isabelle, 45, of 1019 S. 3rd St. face 15-year jail terms if convicted.

Burress is also accused of indecent assault on the child, and is under $5,000 bail on that charge. He and his wife were held without bail on the kidnaping count.

A crowd of angry spectators jammed the 4th St. and Snyder Ave. police station, Tuesday morning, when the two were given a hearing before Magistrate James T. Donnelly Jr.

Blanche was lured from in front of her home by a man whom she identified as Burress, who offered to take her to a movie.

Burress, however, told police that he and his wife were given $5 to take care of the child by "a man from Jersey," who has not been seen since.

Abuse Evidence Discovered

Upon examination by Dr. John P. Turner, police surgeon, it was discovered that Blanche had been molested. She said that Burress, whom she called "Daddy," had abused her several times.

Burress denied he had molested the child, but detectives said his wife had admitted being present on occasions when he had mistreated the little girl.

The police raid, conducted by Capt. Andrew Smart of the 7th and Carpenter Sts. police station, followed a tip from Timothy Cottle, who lives above the Burress apartment.

Made Suspicious by Picture

Cottle, who had been in the station house earlier that evening, noticed Blanche's picture on the bulletin board, and was struck by her resemblance to the child he had seen in the back yard of his home.

When police, accompanied by the child's mother, Mrs. Geraldine Jennings, entered the apartment, Burress attempted to hide the little girl by throwing a blanket over the crib in which she was sleeping.

Dets. Patrick Lane and Louis Lear of the 1st Division said that during their investigation they had received a number of "false alarms" regarding Blanche's whereabouts, but had run into a blank in the area around her home.

Lured Away From Home

She had been playing in front of her home with a neighbor's child, William "Butch" Carroll, when a man approached her with the movie offer. It was several hours later before her mother became alarmed and called police.

Meanwhile, police are still searching for "the Jersey man" who is supposed to have asked Burress to take care of her for him. The suspect said he did not know the man's name nor his address.

He said he agreed to keep the child because his wife was "puny and sickly" and he thought the little girl would be good company for her.

7785

Five Negroes Held For Attacking Young Woman

MERIDIAN, Miss., May 31 (AP)—Police Chief O. A. Booker said today he is holding five Negroes in connection with the rape of a 24-year-old white woman here last night. Booker said no charges had been filed against any of the men. Booker said the woman was seized, dragged into a clump of trees and attacked shortly after 9 p.m. Sunday as she was walking home from a meeting at Meridian Junior College. The attack took place about a block from the college, the chief added. The victim is in a "fair" condition at a Meridian hospital, but is still suffering from shock, the chief said.

7953

Weighing the Temper of the Supreme Court

Some indication as to what has happened to the United States Supreme Court since President Truman started making replacements on that high tribunal can be gleaned from the refusal of that body to consider the case of Willie McGee, 34-year-old Mississippi veteran and father of four children, who, the Civil Rights Congress alleges, has been framed, with fixed testimony in the several trials he has had charged with rape. Black Dispatch

We believe a more liberal court would have been impressed with the fact that in two appeals the Mississippi supreme court reversed the trial court and that in the third hearing the attorney who prosecuted McGee was elected on a campaign promise that he would see that the defendant was electrocuted. Surely there was enough room for doubt in the record of this long drawn-out case for the Supreme Court to at least have reviewed the testimony, or lack of testimony used to convict McGee. There was enough in the record dealing with the mob hysteria that surrounded the courtroom in the last trial to warrant the court's examination and study of the appeal. 10-22-49 Oklahoma City Okla.

Here are the facts the Supreme Court refused to examine:

On November 3, 1945, a middle-aged white woman in Laurel, Mississippi, claimed that she had been raped by a man with kinky hair who wore a T-shirt. There was no other identification.

The so-called rape allegedly took place while a sick child slept in her bed and her husband and two children were asleep in two adjoining rooms.

A reign of terror was then instituted against the Negro community and a lynch-mob hysteria generated.

Ignoring the fact that he could not possibly have been at the scene of the crime at the time of the alleged rape, the police beat McGee and brutally mistreated him. When they threatened to turn him over to a lynch mob, they finally forced a "confession" out of him.

McGee's first trial took place while he was still in a speechless and hysterical state following his ordeal.

The court house was surrounded by a threatening lynch mob. The jury was out two minutes and brought back a "guilty" verdict.

CRC entered the case and filed an appeal.

In the second trial which took place in the same lynch atmosphere, McGee was again convicted.

Again the Civil Rights Congress appealed and again the conviction was reversed by the State Supreme Court of Mississippi.

The electrocution of McGee became a campaign issue with the new district attorney promising the Kluxers that he would get Willie McGee into the chair.

In a third trial, the lynch-mob actually threatened his defense counsel. They were forced to leave with armed guards without summing up and before the case went to the jury.

The third appeal of the Civil Rights Congress to the Mississippi Supreme Court was denied.

From the record presented above it appears to the Black Dispatch that the U. S. Court is today lacking in the sympathetic approach of the Mississippi Supreme Court regarding the plight of this unfortunate defendant. It indeed frightens the Black Dispatch when we recall that several important cases having to do with fundamental civil rights are on the current calendar of the court. If President Truman cannot get important civil rights legislation through Congress, and now is faced by a reactionary court of his own fashioning, minority groups in this country have considerable to disturb their trust and confidence in the future.

27h(1) 1949

North Carolina

7954

Crawls In Wrong Bed; Faces Death

(Defender Syndicate Bureau)

ROBERSON, N. C. — The question mark case of a colored man who [illegible] the home of a Robinson County white farmer and crawled into bed with the man and his wife, was reopened last week when he was held for a capital offense and bound over to superior court without bond.

The man, Joe Brown, 28, a farmhand, did not testify in recorder's court when his case was called.

He said a hand underneath the covers woke him but he felt no alarm, thinking it was his small son snuggling up to him and his wife. But when he became fully awake he leaped from the bed, turned on a light and saw the partly clad Brown fleeing from the room.

Britt did not indicate whether Brown was on his side of the bed or the other side.

Deputy sheriffs said they found Brown's shoes, hat and other clothing on Britt's front poarch. The man was said to have entered the house through an unlocked door.

The farmhand was arrested at the home of Tom Moore, another negro.

Despite the extenuating circumstances of the case, Brown was charged with first degree burglary—an offense carrying the death penalty in North Carolina.

Man, 37, Held in Attack on Girl 5

WARRENTON, N. C. — Nick Williams, 37, of [illegible]duke, was ordered held without bail last week on charges of entering a household in Liberia, N. C., while the family was asleep, kidnapping a 5-year-old girl and criminally attacking her in the woods near her home.

The child, the daughter of Mr. Jarvis and Mrs. Octavia Williams, was found in the woods on the following morning and brought to a hospital here, where she was treated by a local physician, who expressed his belief that she would recover from the ordeal.

Mrs. Williams, the girl's mother, said the tot was sleeping in a room with several other small children when an intruder entered the house, blew out the lamp which was burning, and walked out with the sleeping child in his arms.

Hat Leads to Man's Arrest

Before she could arouse her husband and get a gun, the man had made good his escape into the nearby woods, carrying the child with him, the mother said.

According to Sheriff Roy V. Shearin and Chief of Police J. A. Dennie, who arrested Nick Williams, a hat belonging to the suspect was found near the place where the attacked girl was found.

Half Finger Saves Attack

KINSTON, N. C. — After cross-examining the alleged white criminal attack victim for one hour and 15 minutes, Judge Albert W. Cowper cleared Preston Isler, hotel employee, of having committed the act.

The woman, Mrs. Christian G. Wetherington, had charged that Isler assaulted her in a hotel room.

However, while on the witness stand, she could not recall that her assailant had a missing joint on his left index finger although she had said she could identify him from memory of his left hand on a pillow by her towel covered face.

Ex-con rapes own daughter, six

GREENVILLE, N. C. — A 31-year-old ex-convict is in custody here for raping his [illegible]-old daughter. The child said her father took her into a wooded spot and assaulted her, threatening to kill her if she told anyone. She told her sister, [illegible] mother arrived. The police, arresting John H. [illegible], said they found his clothing [illegible]. The child had been painfully injured.

7955

15-Year-Old Suspect Victim Of Mob Attack

By J. H. RAWLINS
Staff Correspondence

ENFIELD, N. C.—Lacy Taylor, 15, an Enfield grammar grade student, is being held in the Halifax county jail awaiting trial in Superior Court. Lacy is being detained following a beating at the hands of a mob of an estimated 30 white men armed with shot guns and sticks on the night of Aug. 5.

The mob is reputed to have formed to trap a "telephone Romeo" who has been making anonymous calls to Miss Alice Clark (white), 16, for the past few days.

At a designated time and place "Monk" Shackelford, a local man was planted in women's clothes aided by the other members of the group who were concealed. The rendezvous selected was a cotton gin which is less than 30 feet from the home of Lacy Taylor and where his foster father is an employee.

In an exclusive interview Mrs. Cynthia Hardy, mother, and Rodgers Hardy, foster father of Lacy, told the Journal and Guide that there was absolutely no connection between their son and the calls.

Their story of the incident is as follows: "We were at home on Friday night, Aug. 5, as usual. William Stanley, a man who sleeps in a room in the mill entered and we began chatting. This was about 8 p. m. Our roomer called and said, 'Lacy hasn't gone to bed as you told him.' The visitor William, said, 'he had better come in the house before he gets knocked in the head because they are setting a trap for that man who has been making those phone calls.'

"Since none of us knew any calls he began telling what he knew of the case and told us that he had been questioned as to whether he had been using the phone. While William was telling us about it we heard our son scream and I (Mrs. Hardy) ran out.

"Lacy ran past me and hid under the bed. He was covered with blood from a blow on the head. All of us ran inside and locked all doors. Someone came on the porch and knocked, he then called out, 'It is only me open up,' we recognized the voice of Hugh Harper, foreman of the mill and Mr. Hardy's boss. He entered followed by the police chief and assistant.

"They looked around and drug from under the bed. They preferred no charges and produced no warrants but took him away without a word.

"The next day Mr. Harper came to our house and related the information they had received concerning the phone calls. He stated that most of them came during the day Sunday August 7, and had been traced to an extension at the mill. He also said that they did not know whom to expect while they were waiting, but were going to get the first person who showed up. We explained that we could account for the whereabouts of Lacy all of that Sunday. We also called attention that the mill is very close to our home and that we have to go to the far end of the mill for all of our water. Mr. Harper, who is the girl's uncle, left without comment.

At a preliminary hearing before Mayor L. C. Marshall, Monday, Aug. 8, Lacy was placed under $1,000 bond and held over for superior court. A citizens committee has been formed to raise funds for the defense of the youth.

During a meeting of this committee Friday night and attended by the Guide reporter numerous unexplained questions were raised. Why was the lawyer told that there would be no trial on Monday and one held immediately following his departure? Since the caller told Miss Clark he owned a car when he identified for her benefit, (taken from her testimony on the stand), why was a youth too young to own a car taken into custody? What were the two police officers doing participating with an armed mob? Why was Shackelford, an employee of the Branch Funeral Home, the one to wield the blackjack?

Bears Bedroom Rap In Dixie

CHARLOTTE, N. C.—James Edwards (not the actor) charged with first degree burglary and facing a possible death sentence for allegedly entering a white woman's bedroom, was acquitted in Superior Court here Wednesday night.

Edwards was accused of forcing his way into the apartment of Miss Sara Louise Rogers and getting into bed with her.

The white woman, who had previously identified Edwards, admitted under examination by Defense Counsel Uhlman Alexander that she did not see the man's face plainly.

Odd Prosecution Gets Boy 15-Year Prison Sentence

By J. H. RAWLINS
Guide Staff Correspondent

HALIFAX, N. C.—A 15-year old, mentally deficient youth last Wednesday was sentenced to serve 10 to 15 years in the state penitentiary on a charge of attempted rape of a colored woman, which a magistrate four months earlier had dismissed for lack of "probable cause."

Superior Court Judge W. H. S. Burgwin in passing sentence ordered the boy, Lacy Taylor, of Enfield, N. C., to be examined by a competent psychiatrist, and to be committed to the proper institution if found to be of unsound mind.

JUDGE'S OPINION

The judge had expressed the opinion that the boy was lacking in mental faculties and stipulated that it be so recorded in the sentence. This came at the end of a trial marked by surprising moves and unusual procedures.

NEW CHARGES

Taylor, his lawyer and his Wednesday to answer charges of molesting a 16-year-old white girl, by a series of anonymous telephone calls. Instead, when Taylor's case was called, it was learned for the first time that a grand jury had, the preceding day, indicted him on the four-month-old charge of attempted rape.

Prior to the trial, the prosecutor had discovered that improper use of a telephone was not an indictable offense and that the most they could hope for by way of punishment was a misdemeanor conviction for delinquency in juvenile court.

CHARGES DISMISSED

The charges of attempted rape of the 29-year-old colored woman had been dismissed by Enfield Mayor L. C. Marshall sitting as magistrate, when the boy was arrested 16 weeks earlier, as lacking "probable cause."

YOUTH BEATEN
However,after it developed that no indictment could be brought on the'telephone Romeo' accusations of the white girl, this case which the prosecutors had neglected for four months was presented to the grand jury and an indictment returned.
The youth who had been in jail since August 6 following his arrest by a mob,including law enforcement officers, was beaten with sticks following his "entrapment" in the alleged telephone calling.
The Judge,defendant and spectators were all surprised when the prosecutors ignored the telephone calling charges and announced they had an indictment charhing attempted rape of the colored woman.
COURT IN CONFUSION
For a moment the entire court was in confusion.Lacy's lawyer informed the court that he had no knowledge of the case and that he was retained to defend the boy on the other charge.The judge expressed surprise at the turn of events and questioned the three solicitors (Prosecutors)
BICYLE RIDE.
Aftera brief explanation the trial was resumed and the court appointed W.O. Rosser to represent the defendant.Mr.Rosser was already retained to defend Lacy on the other charge.
The colored woman testified that on the night of August 28, Lacy whom she knew well,volunteered to ride her home, which is two miles from enfield, on his bicycle. About half way there,the woman stated,the youth turned from the road and carried her in his arms into a thickly wooded section. He then removed her underclothing, she continued, and attempted to assault her. Fighting with all of her strength she said, she was able to get away from him and run to a store a mile from the scene and call the police.
CROSS EXAMINATION
On cross examination the witness acknowledged that the bicycle ride was made voluntarily and that at no time was she struck.The only weapon displayed was a stick which he picked up

after taking her into the woods she said. The youth threatened to kill her if she made an outcriy she charged. She also admitted that her clothes were not damaged other than a small tear along the hem line of her dress.

QUESTIONED BY JUDGE

Judge Burgwin asked the jury to retire before summary arguments were made and vigorously rebuked the prosecution for attempting to link the two cases Speaking loudly enough to be heard over the entire courtroom the judge asked why the attempted rape case had not been presented to the grand jury at any of its previous sessions.

He stated that his question was all the more pertinent since a justice of the peace had failed to find probable cause and had dismissed the charges brought by the colored woman.

WITNESSES CALLED

After the verdict was returned the prosecution asked permission to call witnesses to inform the court of the "type and character" of the defendant. The witnesses presented by the prosecution were those who would have testified in the phone calls case.

DENIES RAPE

When the mayor pro-tem stated that Lacy had confessed to him and two officers during the trip to the Halifax jail the judge asked if any threats had been made against the boy. The presence of the mayor pro-tem on the trip provoked the judge to sharply criticize the handling of the case and to term the procedure "irregular" and "highly unprecedented."

BOY'S TESTIMONY

On the stand briefly, at the request of Judge Burgwin, Lacy answered two questions. As to why he confessed and then entered a plea of not guilty, Lacy stated:

"Police Officer Sykes said that he would string me to a tree if I didn't agree to all of the things he told me."A loud and firm "no" was his only answer when asked if he had attempted to rape the woman.

Police Officer Sykes and all other occupants of the car taking Lacy to jail denied that any threats had been made.

Nab Charlotte Lad
Suspected of Rape.

Charlotte,N.C. a -16 year old boy was held in the Mecklenburg County jail last week for the rape-robbery of a 70 year old woman.

The boy, William Henry Stitt, was charged with the rape and robbery with firearms of an aged colored woman last Sunday night,

Patrolman M.D.Earnhardt and Eugene Rushing said the boy admitted that he had gone to the home of the elderly woman,taken the money from her after knocking out a light bulb in her home and raped her at gun's point.

The boy, who lives near Matthews was arrested by Patrolman P.E. Bartlett and E.L.Cloinger.

Cloinger said the aged woman told him the boy, with a handkerchief over his face, broke into her home, pursued her when she ran from the House and forced her to submit to him in the yard, After the alleged rape the boy reportedly forced her to give him the contents of her pooketbook, which was $70.

Stitt was picked up at a nearby home and confessed to the crime.

Courier
Pittsburgh,Pa.
Sat. 8-20-49

7958

YOUNG WIFE A VICTIM

27h(I)

Attacked at Knife Point

Atlanta Constitution

YOUNGSTOWN, Ohio—(UP)—A doctor's pretty, 24-year-old wife was criminally assaulted early yesterday in her bedroom by a Negro who held a knife to her throat, Police Chief Edward Allen said.

Atlanta, Ga

The assault occurred while the woman's two-year-old daughter slept in a crib a few feet away. The woman's husband was on night duty in a hospital at the time.

Jr.-4-29-49

According to Allen, the woman was awakened by a noise in her second-floor room and found the burglar standing next to her bed with a flashlight. She started to scream but the man placed a knife at her throat and told her to be quiet.

7959

Victim's Skin Color Makes Difference

Police Use Dogs, Beat Bushes Until Suspect Is Under Arrest

By NAT TURNER

What a "whale of a difference" a white skin makes when a woman is criminally attacked was revealed here this week with the reported rape of a white woman by an 18-year-old youth, facing charges of similar crimes against two other women during the past week.

Nothing other than routine action on the part of police was noted following the alleged attacks on a 20-year-old 25th St. woman last week and a 16-year-old Matthews St. girl—both colored — during the same week, but the law arose in all its majesty when the white woman cried "rape."

36 Cops Join Manhunt

Less than an hour after the Henrico County white woman reported the alleged attack—Monday shortly after 1:45 p.m.—more than 30 law officers from Henrico County and Richmond City, including ABC inspectors had been pressed into the wild manhunt.

In addition to these officers of the law, State policemen, a State police airplane, walkie-talkie radio equipment and bloodhounds from the State Farm at Gooch land joined in the search for the N—o attacker of the 27-year-old white mother of two children.

Caught Within 19 Hours

Less than 19 hours after the report of the alleged attack, Frazier Young of 500 block W. Marshall St. had been arrested and charged with the crime. Less than 2 hours latter, he had been placed in a police lineup at Henrico County jail and identified by the white woman and one of his other alleged victims.

At 1:15 p.m.—less than 6 hours following his arrest and less than 24 hours after the alleged attack—Commonwealth's Attorney Harold M. Ratcliffe of Henrico County reported that a confession had been obtained from the youth and a preliminary hearing set for Friday in Trial Justice Court.

According to local police, Young will be charged with the attacks on both the Matthews St. girl and the 25th St. matron. He was reportedly an employee of the Southern Tent and Awning Company of W. Broad St.

The Matthews St. girl had reported on June 22 that an unidentified man of the same general description given by the other two women had forced her into a vacant lot on Magnolia Ave. and attacked her after accosting her while she was on her way to Walker High Summer School.

The 25th St. matron was reportedly attacked between 9 and 10 p.m. on June 14 after she was accosted by an unidentified man who volunteered to aid her in finding the address of some friends whom she had planned to visit on Brook Rd.

After she alighted from a bus at Chamberlayne Ave. and Oak St. and started towards her destination, she told officers, she noticed that a man was following her as she reached Brook Rd. Not sure of the number of the block she was in, she said, she asked the man to direct her.

Woman Beaten, Attacked

Telling her that the block she was looking for (1800) was farther up the street, the man walked with her for two blocks, the woman said, until they came alongside a vacant lot, forced her into the lot under threats of death, choked her and beat her about the face, then accomplished his desires.

After the man had struggled with her, dragged her into the lot and beaten her about the face, the matron said, he told her that he had "already killed two women" for resisting him and warned her not to make that fatal mistake.

One man summed up the situation aptly when he said: "What a whale of a difference a white skin makes when a woman cries rape."

Officer Fells Youth With One Bullet; Pal Escapes

Young Marton Identifies Wounded Teen-Ager as 1 of 2 Who Tried to Assault Her in Lot

PHILADELPHIA

A 17-year-old youth was shot in the back, early Sunday morning, as he and an alleged companion sought to flee the scene of an attempted assault on a young married woman.

The boy, Harold Johnson, 1431 N. 19th St., was shot by Patrolman Sidney Guberman of the Eighth and Jefferson Sts. police station, as he dashed from a vacant lot near Watts and Thompson Sts.

At St. Luke's and Children's Medical Center, where Johnson was detained in a "fair" condition, he was identified by Mrs. Geraldine Davis, 23, of 1237 W. Stiles St., as one of two men who tried to criminally assault her on the lot.

Woman Tells of Attempt

The woman said she was walking near 16th and Master Sts. when she met Johnson, whom she knew, and inquired as to the whereabouts of a mutual acquaintance.

Johnson, she said, told her he knew where the person she was looking for was and offered to show her the place.

Motorist Summon Help

A second youth joined them and they were reportedly walking east on Master St. when Johnson reportedly pulled a blackjack and made her accompany them to the lot.

When they got there, Mrs. Davis alleged, the men tried to attack her and she was fighting them off when her screams were heard by Frank P. Lloyd, 1438 N. 17th St., a passing motorist.

Lloyd drove two blocks further and notified Patrolman Guberman, who hastened to the lot. When the two youths reportedly saw him they ran. A bullet which lodged in his left lung felled Johnson, but the other suspect escaped by scaling a fence.

27h (1) 1949

South Carolina

7960

Rape-Attempt Suspect Seen, But Vanishes

Courier-Journal

Hounds Lose Trail Near Gray Court, S. C.

Aug. 8-1949

Gray Court, S. C., Aug. 11 (AP) —Law-enforcement officers searched high woods and swamplands today for a Negro accused of trying to rape a white girl.

They believed that somewhere in a 10-mile circle near this farm town they eventually would find him. High up in a fire lookout tower an officer with field glasses scanned the area. Bloodhounds sloshed through the lowlands, but their trails ended abruptly. On higher ground where corn and cotton crops are growing, officers patrolled.

Negroes were warned by radio to take in no stranger. Bus drivers were asked to look carefully at any Negro who might hail them.

27h (1) SC

Had Traveled 50 Miles.

But, the wiry suspect, Willie Junior Tolbert, 25, seemed to be as cunning as the red foxes which abound in the swamp. He had made his way from Greenwood, 50 miles south of here, since Monday night. It was then that the alleged attack was made.

He was sighted late yesterday. A posse quickly grew. At one time an estimated 1,000 women and children and heavily armed men milled about the area. But for most of them interest waned as the search went on under the moonlight and by dawn there were only a score of officers left.

During the day there were reports that the officers were nearing him. But Willie vanished.

Since the Monday-night incident, three crosses have burned in Greenwood's Negro section.

South Carolina

7961

Negro Man Is Sought In Attempted Attack

8-5-49

MADISON, S. C., Aug. 5—(AP)—More than 200 armed men combed the hills around this small South Carolina-Georgia borderline town today in search of a Negro who police said attempted to rape a white woman.

Sheriff Eddie Weathers reported the Negro had entered a Madison home yesterday and had attempted to rob and rape a 35-year-old woman, the mother of several children.

Weathers said the Negro opened the door to the woman's house yesterday and demanded money of her. She had a milk bottle in her hand at the time and asked him to wait until she could put the milk in the ice box, he added.

She then picked up an ice pick and when the man attacked her she jabbed him in the neck, the sheriff continued. The Negro fled, and the woman shot at him three times with a rifle, possibly wounding him on the third shot, Weathers reported.

7962

Two 21-year-old men were indicted by the Shelby County Grand [illegible] on the charge of a 45-year-old woman. They were Charles A. Brown of 701 Tate and [illegible] Hampton. Police charge the woman, who had been drinking, was attacked in an alley behind 327 Mulberry.

be running high over the incident, but so far there has been no indication of mob violence.

The accused in the county jail in Columbia, has made no statement on the incident.

Tennessee Man Held On Rape, Attack Charge

COLUMBIA, Tenn.,—(INS)—An unidentified man is being held in Columbia, Tenn., charged with the rape and murder of a 65-year-old white widow.

The man was arrested earlier Thursday after being trailed by bloodhounds.

Maury County officers said the bruised and beaten body of Mrs. O. G. Brown was found in a Rocky Ravine some 100 feet from the barn of the farm where the frail widow had lived alone for nearly a year.

Officers tonight are combing the area in the hope of finding the murder weapon and more clues.

Popular feeling in the small-middle-Tennessee city appears to be running high over the incident, but so far there has been no indication of mob violence.

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27h(1) 1949

Texas

7963

GIRL, 11, RAPED; HUNT NEGRO IN HOUSTON, TEX.

Houston, Tex., Nov. 19 (AP)—Nearly 50 police were searching for a young Negro who beat and raped an 11 year old white girl in a fashionable Houston residential section today. The girl had been lured from a neighborhood football game at the St. Mary's Catholic school playground.

The Rev. Dexter George, assistant pastor, called police after the child said a Negro had attacked and beaten her in a weed patch a short distance away.

Police said the girl had been watching the football game when the Negro approached and said, "Father Bagby wants to see you." [The Rev. J. T. Bagby is rector of the near-by St. James Episcopal church.] The Negro pulled the girl into the weed patch, hit her in the face and attacked her, she told police.

7964

Old Familiar Cry, 'He Raped Me' Begins To Flop As Trial Nears

By DEE FREDERICK
(Defender Southwestern Bureau)

DALLAS—Sordid details of what is believed to be a repetition here in Dallas, of the grand old Southern custom of white women crying "rape" at Negroes in order to divert the finger of guilt from themselves or others have at last begun to come to light after being obscured some eight months behind a smoke-screen of trail blotting, during which time an accused Negro has helplessly gripped the bars of his cell.

The story had its beginning on the dark night of last August 17, and the locale was a dead end trail leading down to a creek off Westmoreland Road, in the West Dallas community. Parked in an automobile on this trail were Mrs. Mozelle Slack and her estranged husband, William A. Slack, a white couple. And the purpose of the meeting, they claim, was to attempt effecting a reconciliation.

Later that same night Mrs. Slack wound up at Parkland Hospital, apparently suffering from shock brought on by blows on the head. William Slack also found up at Parkland Hospital, permanently blinded from having had battery acid flung in his eyes.

Still later—three or four days later—Mrs. Slack, who up to that time had mentioned nothing except having been struck on the head, told hospital and police authorities essentially the following:

She had been raped, she said, and her husband had been blinded by a Negro who accosted them while they were parked on the trail. The Negro man had been in a truck, her story went.

He had stopped some short distance away, had gotten out and walked to their car, and asked for a match, and then cursed her husband, had ordered her husband out of the car and commanded him to kneel in the road. Then, while her husband was so kneeling, the Negro had repaired to his truck and returned with a container of acid, which he dashed into the eyes of Mr. Slack, who was still kneeling in docile obedience. After this, the Negro had struck and raped her stated Mrs. Slack.

For more than a month the police searched in vain for the Negro attacker. Then the police got a break, they decided. Clifton Okra, a Negro junk dealer, living on Hampton Road in West Dallas, got behind on the payments on his truck, and so, was brought to their attention.

Someone suggested that here was a Negro. He had a truck. He lived in West Dallas, not far from where the Slacks had parked. He was abroad a great deal at night, since he frequently used his truck to haul people between rural communities to churches, etc. He could not give too accurate an account of his whereabouts on that night of August 17.

Besides, the police were on the spot; the public was harrassing them, wanting to know about this unsolved crime. So, on September 21, the police took Clifton Okra into custody and charged him with raping Mrs. Slack and with having maliciously blinded William Slack.

And the police got a confession, too. Clifton Okra confessed that he had committed the foul deeds.

So, there was the case, air tight. Another vicious "raping" Negro was caught, and on his way to the electric chair. Another time the chaste flower of Southern womanhood was being protected, and in due course, the violation would be avenged. Furthermore, the police could now write "closed" to another case.

But Clifton Okra was not entirely without friends able to help him. A white lawyer, Thomas H. Howard, whose offices are in the Rio Grande Building here, has known the Okras for a long time. He knew them to be a family of law-abiding citizens, and he knew that Clifton Okra himself had a clean reputation, a spotless record. So, Tom Howard, believing in Okra, took the case, and he and others began looking into the matter. At once many strange things began cropping up.

It was found first of all that four doctors of Parkland Hospital had thoroughly examined Mrs. Slack upon her admission the night of August 17, and hospital records revaled that these doctors concurred in the decision that not only did Mrs. Slack show no signs of having been raped, but that actually it was indicated that she had had no sexual relationship whatever for four or five days previously.

The records also noted the curious reaction of Mrs. Slack when she had been informed that her blinded husband would likely never see again. The records say that Mrs. Slack laughed.

Investigation also raised the logic of other contradictions: Is any motorist in the habit of carrying battery acid around in a container, ready to dash into people's eyes?

If Okra hadn't had the acid ready, how could he quickly get a quality sufficient to blind a man from his auto battery, bolted down to the car's chassis? Who could reasonably believe that in the dark of night the Slacks, knowing they faced danger, would allow Okra to saunter to his truck and return to attack them, without at least bolting for freedom or raising an outcry?

Why did police, the next day, find all doors of Slack's car locked, with window glasses raised? And, if Slack had been kneeling in the road when the acid was cast into his eyes, as his wife states, why did police find acid spattered all over the interior of the locked automobile? And would not the kneeling Slack, seeing Okra approach, instinctively close his eyes at the least threatening movement?

Answers to these questions investigators believe to lie elsewhere than on Westmoreland Road. They regard as significant that William Slack and Hoyt Johnson, father of Mrs. Slack, are known to be enemies.

They further attach significance to the fact that both Hoyt Johnson and William Slack are employed at auto battery works, and that earlier on the night of August 17, before meeting her husband, Mozelle, visited the battery factory.

As to Clifton Okra's "confession," responsible witnesses state that when he was arrested and brought to jail on September 21, he was unmarked, but that on the morning of the 22nd, his bloody head was twice its normal size, and both his eyes were swollen shut.

Clifton Okra's trial is expected to come up early in May. The Dallas Branch NAACP has assumed sponsorship of the case and is currently engaged in raising funds to finance it.

The branch has assigned Nile E. Ball, young white attorney, who is chairman of the branch legal redress committee, and NAACP Special Council U. Simpson Tate, to associate with Attorney Howard in the defense.

Negro Mother Told to Give Home To Buy Son's Life

DALLAS, Tex.—An attempt to extort a house and lot from a Negro mother in exchange for a fair trial for her son was the shocking accusation made here against local police authorities.

The charge came to light at an unsegregated meeting in defense of Clifton Okra, under a death sentence on a phony rape frame-up. The meeting was attended by about 500 persons, who contributed $850 to a defense fund for Okra.

Okra's mother, according to defense counsel, was approached by deputies and a lawyer, who took the young Negro to his mother's home and offered to "defend" him in return for the house and lot in which she lived.

White and Negro speakers addressed the rally, sponsored by the NAACP. A leaflet calling for attendance was issued by the Industrial Club of the Communist Party of Dallas.

Young Okra was charged with the rape of a white Dallas woman last fall. He was convicted and sentenced to death. In Texas this means the electric chair. His attorneys demanded a mistrial on two grounds: the jury that convicted him was an all-white jury, and the fact that Okra was taken into court handcuffed. This prejudiced the jury by indicating that he might be a dangerous criminal.

THE COURT ignored the point of the all-white jury. A mistrial and charge of venue was granted on the second point. The new trial will be held in Georgetown, Texas, about 25 miles north of Austin, the state capitol.

When Tom Howard, white, who is one of Okra's lawyer, visited him in the jailhouse, he found him leaning helplessly against the wall, unable to stand without support. Howard found Okra's head swollen to almost twice its normal size, both eyes shut, nose apparently broken, and huge welts across his face and head. He was shocked at such police brutality and found it hard to believe that it happened in the United States.

The deputies' claim that Okra had resisted when they went to arrest him was refuted by Judge W. E. Richburg, an Oak Cliff Justice of the Peace. Judge Richburg saw Okra brought into the jail and reported that there was not a mark on him at the time.

After a night in jail for Okra, his "confession" was produced by the authorities. It was signed by Okra, who was bleeding and bruised. He later repudiated it in court. Okra was "identified" a month after the alleged raping.

THE WOMAN, Mrs. William Slack, claims that she and her husband were parked in a car when a Negro, later identified as Okra, stopped his truck and asked for gas. She claims that when they told him they had no gas he forced her husband to kneel in the road, went back to his truck and got some battery acid, threw it on Mr. Slack's face, and raped her.

Records at the Parkland hospital, where the Slacks were examined, show that Slack's face was injured by acid, but that the woman had not been raped. People here ask why was acid found splattered in the Slack car, and why did Mrs. Slack not report her alleged rape until four days after she claims it happened. It is also being asked why Slack continued to kneel in the middle of the road if he was left alone?

The Okra Defense Committee is trying to raise $5,000. Contributions should be sent to Rev. S. T. Alexander, Okra Defense Fund Hdq., 1723 Allen St., Dallas, Tex. Also defending Okra is U. S. Tate, a Negro attorney, Alabama born and recently from Washington, D. C.

Negro Dies In Electric Chair In Texas Prison

HUNTSVILLE, TEX. — (INS) — The 21-year-old Fort Worth Negro was convicted of the rape of a white woman in August, 1948. The State Court of Criminal appeals upheld the Tarrant county trial court decision and denied a motion for a rehearing.

Earlier this week the state board of pardons denied a stay of execu-

Cleveland Stovall, Jr., died in the

7965

Man, 31, Indicted for Rape, Slaying

Culpeper, Va., March 23 (AP).—A Culpeper County Circuit Court grand jury today indicted for murder and rape a 31-year-old Negro—paroled from an Army court martial sentence for rape.

The special grand jury returned true bills against Thomas Brown, charged with murder in the March 7 slaying of a tenant farmer, James G. Brown, 25, and with rape of the man's wife [illegible] 28.

Spectators jammed the courthouse and nearby streets awaiting the grand jury report.

Brown was brought to the courthouse under guard of a detail of State troopers.

Brown, held in an undisclosed jail since his arrest March 8, pleaded innocent to both indictments when arraigned before Circuit Judge Burnett Miller, jr.

Judge Miller appointed Severn M. Nottingham of Orange as counsel for the defendant and set April 25 for trial of the murder case. No date was set for trial on the rape indictment.

Three Negroes served on the special grand jury called to consider presentments against Brown.

Among those who appeared before the grand jury to testify was Mrs. Elsie Brown, widow of the slain man.

After his arrest, Brown was arraigned on a charge of murder and pleaded guilty.

Richmond Woman Raped, Robbed

Richmond, Va., March 8 (AP).—Twenty-two-year-old Barbara Nute, a radio station employe, reported to police early today she was seized by a Negro as she alighted from a street car near her North Richmond home, dragged into a church yard, raped and robbed.

"I started to struggle with him and he told me that if I screamed he would kill me with a knife," she told police.

Miss Nute said that after the attack in the church yard he grabbed her purse and ran.

She was on her way home from a concert.

Second Goes on Trial Today

First Man of 7 in Rape Case Sentenced to Die in Virginia

Martinsville, Va., April 21 (AP).—A Circuit [illegible] late this afternoon found Joe Henry Hampton guilty of rape and fixed his penalty at death in the electric chair.

A motion to set aside the verdict as contrary to the law and evidence was denied by Judge Henon C. Whittle.

Hampton, 19 years old, was the first of seven Negroes to be tried here under indictments charging them with the rape of Mrs. Ruby Stroud Floyd on the night of January 8. His trial followed arraignment of all seven this morning.

Frank Hairston, jr., will be the second to go on trial at 10 a. m. Friday morning. The jury that gave the death penalty to Hampton received the case at 5:20 p. m. Thirty minutes later it delivered its verdict in court.

Scott Hampton, father of the convicted man, was in court at the time, as was the victim's husband, Glenn Floyd. There were no other spectators, the court having been cleared at the beginning o fthe trial.

Hampton took the stand in his own defense this afternoon and told the jury that he was so drunk on the night of January 8 that he could not say whether he did or did not attack the white woman. He said he and his companions had been drinking wine and brandy during the afternoon and he could not remember what happened.

Mrs. Floyd was on the witness stand for more than 30 minutes and told details of the alleged attack as the first witness for the prosecution.

She said she was first seized by Hampton, thrown down alongside the railroad track and attacked by him. Then she said she was attacked in turn by the others who were with him.

Later she said she was taken about 125 feet into the woods, where she was assaulted by 3 other men. In all, Mrs. Floyd said she was attacked 12 or 14 times before being permitted to leave the scene.

She sobbed intermittently throughout the time she testified and was in a highly nervous condition.

Dr. Baynard Carter of Duke University Hospital, testified that Mrs. Floyd was still suffering from the effect of the attack and that it would probably be from six to eight months before she would be free from fedical care.

The other defendants in the case are Booker T. Millner, Frank Hairston, jr., Howard Lee Hairstoan, John Clabon Taylor, Francis DeSales Grayson and James Luther Hairston. All pleaded innocent when arraigned this morning.

State Moves Suspect in Rape-Slaying

Charlottesville, Va., July 5 (Spl. to The Washington Post).—Johnny Harris, 30, charged with slaying Miss Easter Mae Bledsoe, 29, of Nelson County, after she had been raped last Thursday night, has been removed from the Albemarle County jail here.

William O. Fife, Commonwealth's Attorney, did not say today why, nor where the prisoner was taken, but numerous tips had come into the Sheriff's office that mobs would come to the jail to get Harris. Spontaneous gatherings of enraged citizens were reported in the Batesville section.

A coroner's examination revealed the woman had been raped. Dr. E. D. Davis, jr., of Crozet, said she had bled to death from three stab wounds on the left side of her neck.

Harris, a Negro and a former taxicab driver in Richmond, was arrested in Waynesboro Saturday, less than 24 hours after Miss Bledsoe's body was found Friday in a clump of woods a mile from her home five miles south of Afton, in Albemarle County.

A pool of dried, blackened blood remained at the point in a wagon road where the girl's sprawled, semi-nude body was found. The tough clay soil showed a depression which had been worn by the girl's right heel, apparently as she struggled.

Funeral rites for Miss Bledsoe were held at 10 a.m. today from the home of her brother, Bascom Bledsoe, at St. Charles.

Martinville Rape Suspects File Appeals In Va. Court

RICHMOND, Va. —(NNPA)—Appeals on behalf of seven men sentenced to die for allegedly raping a white woman in Martinsville, Va., were filed in the Virginia Supreme Court of Appeals last Friday.

Martin A. Martin, attorney for the seven men, filed petitions for writs of error at the office of the high court's clerk, Maury B. Watts.

Martin indicated he would ask for a hearing on the petitions by the full court at the opening of its Staunton term, on September 5.

There was some question, however, whether the justices, who normally meet only two or three days at Staunton, would be able to work such a hearing into their crowded docket, and it might go over to the October term, in Richmond.

A second stay of execution early this month by Governor William M. Tuck fixed September 16 as the execution date for four of the men and September 23 for the other three.

GRANTED REPRIEVES

Tuck granted the reprieves to allow the condemned men a chance to take their pleas to the Supreme Court. Virginia Governors customarily stay executions until the defendants have exhausted their last resources to the courts.

The defendants—two of them tried together and the others in separate trial—were convicted in Martinsville Circuit Court last spring on charges they raped a 32-year old Martinsville woman on January 8, 1949.

In six similarly worded petitions last Friday, Martin contended the lower court made "numerous errors of law" in handling the cases.

IMPARTIAL TRIALS

His allegations of error, under seven major headings, included: the lower court should have granted the defense's please for change of venue or change of venire on grounds that failure to do do so deprived them of fair and impartial trials; by holding the trials on "practically successive days" the court denied them due process of law; by asking prospective jurors a question objectionable to the defense, the court prejudiced their trials; by admitting alleged confessinons into the evidence, the court denied due process.

The change of venue or of venire had been sought on grounds that it was impossible to get an unbiased jury in Martinsville because of community feeling and of newspaper stories dealing with the crime, the arrests and reported confessions.

Martin was retained to handle the appeals by the National Association for the Advancement of Colored People, which is bearing the major financial load of the costs, with help of donations from various individuals.

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Confessed Rapist-Murderer Patiently Awaits Sentence

By CLIFTON L. WILLIAMS

NORFOLK—Johnnie James, 31, World War II veteran, confessed rapist-murderer, and the father of a nine-month-old child, is scheduled to be arrainged before Judge Richard B. Spindle in Corporation Court No. 1 on Tuesday(August 24, to be sentenced for the revolting slaying of Mrs. Lonnie Coreen Lovell Daniels, youthful divorcee, during the wee hours of June 10.

Following a plea of guilty, and chiefly by the weight of his own non-repudiated confession, James was convicted by the jurist Thursday afternoon, July 29, of murder in the first degree.

The offense for which the convicted veteran is languishing in the city jail within the shadow of death was one of the most shocking to occur in the criminal history of this city. It aroused pulic indignation to a point seldom witnessed in connection with a slaying in Norfolk.

The public is anxiously awaiting the final outcome, meantime asking the questions, will the slayer be called upon to pay the extreme penalty, or in his case, will justice be tempered with mercy and hand him a term of life imprisonment?

A report, ordered by the court, Charles U. O'Dea, chief parole-probation officer of District 2, is probing into the life of the pint-sized convict with the view of ascertaining if there existed any extenuating circumstances in coanection with the prisoner's fiendish act.

The result of the parole officer's findings will doubtless form the basis of the court's decision in imposing sentence.

WAIVED JURY TRIAL

Waiving the privilege of having a jury determine his fate and entrusting his life to the jurist solely, James pleaded guilty of murdering his victim in a dreary vacant lot on Goff street after having forcibly subjected her to intimate relations.

The young woman's nude body was discovered later on the same morning. From her intimate organ protruded a huge stick, evidently thrust into her in a murderous sadistic orgy.

According to undisputed testimony adduced at the trial, the victim herself had sexual relations with another man in a room in the presence of James several hours prior to meeting her tragic end.

When the defendant entered a plea of guilty to the indictment charging first degree murder, Judge Spindle took the pains to caution him of the gravity of the plea. The court wanted to know if the man thoroughly understood the seriousness of his predicament, and if he was aware of the fact that his plea made him subject to the death penalty.

THE PLEA STOOD

The plea stood, but the judge nevertheless insisted that the Commonwealth present its case. Consequently, the trial proceeded as if no such plea had been made.

In the packed courtroom Assistant Commonwealth's Attorney Lawrence M. Bullock, painstakingly and impassionately unfolded the alleged horrifying details of the sordid slaying, while the spectators squirmed in tense silence.

Frequently the flow of testimony was punctuated by interrogations from the bench, the court seemingly straining every effort to assure the defendant a fair and impartial trial.

WIFE PRESENT

Motionless, but obviously with taught nerves, the prisoner's diminutive wife, Mrs. Maybelle James, 32 and weighing not more than 115 pounds; his mother-in-law, Mrs. Bessie Gill of Money Point; the victim's mother, Mrs. [illegible] Daniels, of Roanoke listened to the unfolding of the gruesome tale.

The fact that the youthful Mrs. Daniels died by strangulation.

Taking the stand, James' pathetic little wife, told of their marriage in Elizabeth City, N. C., seven years ago, and the birth of a child nine months ago.

She testified that her husband had been a steady worker, a good provider for his family, and had treated them normally. She said she had no knowledge of his ever before having been in any serious trouble, or arrested for any crime.

LIVED WITH MOTHER

At the time of the killing, she stated, she and her baby were living with her mother at Money Point, while her husband spent his nights at the local beach where he was employed.

Her first information of the crime came to her through her husband himself, the wife testified. At home with his family, on the [illegible] told his wife of a killing which he had "read about in the papers," but he in no ways indicated that he had been involved in the slaying, only inquiring if she knew the girl, after giving a description of the victim, according to the wife's testimony.

As the State's damaging evidence including his own confession, began to weigh most heavily against the defendant, his counsel, Morris B. Gutterman strove vailantly to erect a defense that might ultimately rebound to spare his client the extreme penalty.

THE CONFESSION

The confession told of his meeting the girl, of escorting her to the vacant lot, of the attack upon her and her attempt to repulse him, of his subduing her by choking and the probable disposition of a stick which he had taken from her. It also told of his hiring a cab and returning to the beach after committing the crime.

On the witness stand, James made only a shabby effort to defend himself. The major points in his alleged confession he admitted, but reluctantly. On many other points he pleaded forgetfulness, or simply [illegible] didn't know."

[illegible] that he knew that the confession had been extracted under duress, and freely admitted having signed it after reading its contents.

EVADES DIRECT ANSWERS

As the questioning of the prosecutor proceeded, the defendant sought more and more to evade direct answers to the queries. While he would not go so far as to repudiate the confession, he seemed reluctant to admit openly in the presence of his relatives having made the blood-curdling statements to the police.

So much did the prisoner waver as to the truth of falsity of the statements contained in his alleged written confession, that Judge Spindle halted the questioning to ask James, why had he pleaded guilty? To this query, he also replied, "I don't know. I don't know anything about law."

NOT A MATTER OF LAW

The court explained that it was not a matter of what he knew about the law, but a question of his guilt or innocence. "Do you wish to repudiate your guilty plea, or do you wish to stand behind it?" Judge Spindle asked emphatically.

The jurist informed the defendant that in spite of the fact that the trial had already progressed almost to its conclusion, he still retained the right and the opportunity to withdraw his original plea of guilty, in which case the court would empanel a jury to weigh the evidence in the case.

As the prisoner remained silent dramatically, the jurist said, "go back and have further consultation with your counsel, then return with your mind made up as to which course you choose to take."

Following a recess of about 20 minutes, the prisoner returned and retook the witness stand. Again asked by the court if he wished to repudiate or stand by his confession, he almost bouyantly replied that he would stand on the confession. The question was reframed, and put to him again, with emphasis upon the gravity of his plea, but he repeated that he would risk his life on it.

Directly in front of him assembled on a table as he sat in the witness chair was the gruesome sight of the garments worn by the young woman on the night she was raped and slain. Among these were the pants, to which the slayer referred when he said:: "I took 'em off. She took 'em off."

When the ordeal of questioning had [illegible] the prisoner seemed greatly [illegible]

ADDRESS COURT

In a brief and impassioned address to the court, Mr. Bullock pointed out the unspeakable nature of the crime. He stated that the defendant was in fact guilty of three offenses, two of them punishable by death.

One, the prosecutor said, was the committing of robbery by taking his victim's handbag and its contents, then throwing the bag behind a fence; the other was rape, as admitted by the prisoner, and the third was murder committed in the act of rape, as confessed by the slayer.

DEFENSE STATEMENT

Mr. Gutterman, defense counsel, heavily handicapped by the weight of the State's case, attempted to point out probable extenuating circumstances, and asked the court for due consideration of these.

Judge Spindle, calling Mr. Gutterman's attention to the State Code which automatically defines killing by arson, rape, poison and strangulation as murder in the first degree, said deliberately, "I find the defendant guilty of murder in the first degree."

The case was then handed down to the probation officer for investigation and report.

BORN IN NORFOLK

During the course of his testimony, James had said he was born in Norfolk, but reared in Snowden, N. C. He returned to this city to live after serving from 1941 to [illegible] in the [illegible]

He had laid much emphasis upon his claim that he had consumed huge quantities of whiskey on the night of his crime. It was brought out that the couple once lived at the Carver Hotel, 819 Church street, where he met the Daniels girl whom he had known about six months prior to the killing.

"He was good to me. I adored him the same as I would my own son," declared his mother-in-law during an interview during recess. He must have been doped."

As officers replaced the handcuffs upon the prisoner, relatives gathered around him and gave him money with which to purchase smokes while in jail. The prisoner was neither remorseful or moody. In fact, he appeared to be in unusally good spirits in view of his predicament.

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Additional Threat Received By Lawyers

Perkins Attorneys Produce Witness Who Saw Woman After Attack

By SAM STICKNEY

Montgomery

A new witness has been uncovered in the widely publicized Gertrude Perkins rape case who has sworn to a statement which declares that she saw Gerturde Perkins shortly after the alleged attack took place and that Gertrude, crying, told of the attack and asked where she could find a telephone to call the police.

The witness, Mary Williams, was revealed this week by attorneys for Gertrude Perkins who also announced that another "veiled" threat has been received in the form of a funeral wreath.

The funeral wreath was discovered last Staurday on brick columns marking the drive to the Atlanta highway home of John Nile McGee, Sr., father of attorneys John Nile McGee, Jr. and Virgil McGee.

The wreath was placed on the post Saturday afternoon by a man in a blue Plymouth, according to a statement from Billy McGee, 12-year-old brother of the attorneys who observed the act from the McGee house.

Attorney John McGee declared that it was possible that the wreath had fallen from a passing auto and had been placed on the brick columns by some well-meaning motorist who discovered it on the highway. But, he added, it certainly fits in with other threats which we have received since accepting the Gertrude Perkins case.

Gun Permit Refused

The incident was reported to Sheriff Addie Mosley together with a request for a gun permit on the basis of past threats. Sheriff Mosley refused to issue the permit, stating, "If I did that it would put me on the spot." He refused to enlarge on the "spot" statement.

Sheriff Mosley recommended that McGee check places in town which might sell such wreaths in order to discover who purchased it.

The new witness, Mary Williams, gave a sworn statement this week to attorneys for Gertrude Perkins shortly before 3 a. m. the morning of March 27, the date which Gertrude declares that she was forced by two Montgomery policemen to submit to both natural and unnatural sexual relations.

The full statement of Mary Williams is as follows:

"I left the house about quarter of three the morning of March 27, looking for my husband. About five minutes later I met Gertrude Perkins on Day and Holt Streets.

"She spoke first, crying, and asked me if I knew where she could use a phone.

"I told her, no, I didn't know where she could use one at that time of night.

"Then she told me that two policemen had carried her down by the Coast-Line shops and raped her.

Dress Was Wet

"I told her that was mighty bad, and I wish I knew where she could find a phone. She told me to look behind at her dress and how wet it was—and I did—and it was.

"And then I told her that I'd better go back home before they came back and made us both get in the car and go back down there, 'cause I knew I couldn't stand it. (Mary Williams was eight months pregnant at that time. Last Saturday she gave birth to a baby boy.)

"We walked on up the Street to Grady facing Holt, and I told her that I guess I had better go home.

"She did not appear drunk and I didn't smell anything.

"She said that she was going to report the rape and if anybody did anything about it that I was going to hear or read about it.

"Then, I left her and came on back home."

The Mary Williams statement is supported by testimony from a friend of Gertrude Perkins who declares that he met her after the alleged rape occurred, took her to the police station to report it and later witnessed two policemen attempt to bribe the Negro woman to forget the attack.

Last week hearings on mandamus proceedings against Mayor John L. Goodwyn and Sheriff Addie Mosley were held in the Circuit Court before Judge Eugene Carter and the pleas of attorneys McGee and McGee were denied.

Records Are Sought

The court had been asked to order Mayor Goodwyn to turn over assignment records of the Montgomery policemen to the attorneys in order that they might determine who was on duty in the vicinity in which the alleged rape occurred; that he hold a line-up of police in order that Gertrude Perkins might identify the men who attacked her; and that Mayor Goodwyn name the guilty men.

Judge Carter declared that proof would have to be shown that police assignment sheets were public records before he could order the Mayor to reveal them. He denied the other requests.

A request that the court order Sheriff Addie Mosley to serve "John Doe" warrants in his possession on Gertrude Perkins' attackers was rejected on grounds that the warrants were void because they contained insufficient description.

Attorneys McGee and McGee expressed hope that they would be able to obtain the names of the accused men through their own efforts and avoid swearing out additional "John Doe" warrants.

Want To Be Sure

The attorneys for Gertrude Perkins announced that they have several names in their possession but have found it difficult to establish positive guilt because of refusal by Mayor Goodwyn to allow access to Police Department records. "We will not swear out warrants naming the men until we are certain that we have the men we are seeking," said the attorneys.

Mayor Goodwyn has held that revealing Police Department records would only result in "trying the case in newspapers." He has insisted that all information and details of his personal investigation have been turned over to Solicitor Temple Seibels for presentation to the Grand Jury—"the proper forum for airing the case," added the Mayor.

Man Accused Of Attempting To Rape Child

A man accused of attempting to rape a 9-year-old Negro girl after striking her two brothers and a sister was held to the grand jury in police court yesterday.

Bond for the man, Theodore Jeffries, 28, of 650 S. 17th, was set at $600 for a hearing January 9. Crime Prevention Bureau officers said Jeffries accosted the four children on Brook between Gaulbert and Lee at 9:30 p.m. Tuesday.

After knocking down her two brothers, 7 and 12, and da sister 10, Jeffries put his go[illegible] the girl and forced her into his car police said. He drove several blocks and parked, but put the child out when she screamed and fought, they said. Jeffries denied the charge.

Free On Bond On Charge Of Attempted Assault

DOTHAN, Ala., June 30 (AP)—Edwin Parker, 27, of Niceville, Fla., was [illegible] $500 bond today following his arrest on a charge of attempting to assault a 13-year-old minister's daughter. Deputy Sheriff Eldridge Cameron said the alleged attempt occurred during last week-end, but extensive investigation was necessary before the arrest was made. The incident allegedly occurred after the man had offered the girl and a 23-year-old companion a ride home from a party, Cameron said.

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Due Process Of Law For Gertrude Perkins

THE Gertrude Perkins case is closed only in the limited sense that her charges have been dismissed.

The case as it embodies relations between the white and colored people of Montgomery is not closed. There is no doubt that some unwholesome feeling has been engendered.

That kind of feeling is contrary to the feeling that has distinguished our town for a long time. It is experienced in other cities, but not Montgomery.

There is, to be sure, an element of zealots, inciters and brutes among both races in this city. They want trouble. But if they were not small minorities there would have been trouble before now.

The great majority of both races like it as it is in Montgomery. They want to keep it that way.

Resentment among Negroes over the Perkins case has begotten resentment among some whites. Such white people may as well recognize that the majority of white people are insistent upon equal justice before the law for colored people.

Sentiment for such equal justice has been growing long, steadily, strongly. It's formal birth probably ought to be dated from 1901 when, after vehement debate, Alabama enacted one of the strongest anti-lynch laws in the U. S. For 48 years sheriffs have been impeached for allowing a mob to have its way. That's the record.

★

THOSE colored people who have felt humiliated or angered over the Perkins case can now, The Advertiser believes, abate those emotions in consideration of the case's history culminating in grand jury action.

The basic fact is that the mayor, the solicitor and a grand jury composed of well-known Montgomerians do not believe that Gertrude Perkins was raped by two policemen.

We must say in all candor that we believe Mayor Goodwyn was ill-advised to keep secret the names of the two officers who were the only officers in a coupe such as described by the Negro woman. We can understand that not believing them guilty, he did not wish to crucify them with public debate on their guilt or innocence. He offered to tell this newspaper their identity, off-the-record. Nevertheless, we believe that little was gained and much lost by this concealment.

Apart from that, we believe that Goodwyn acted in a manner above reproach. He has not hesitated to fire policemen before, and there is no reason to believe that he would have done so in this case. It would have been quite easy to throw the policemen to the wolves.

★

HE MADE what seems to us an exhaustive investigation. He was satisfied, but a clamor arose from a shrill and hungry white element whose zealots and slickers work the other side of the street in Montgomery because they can't compete on the other.

During all of which, Goodwyn transmitted to the solicitor all of his information. The grand jury heard all who wanted to testify.

The grand jury report, which was written by the jury itself, said:

It is the unanimous opinion of this grand jury that no direct evidence was brought to our attention in the Perkins Case, except by the Perkins woman herself. Her own testimony and the testimony of her boy friend, George Davis, was full of discrepancies, and what looked like to us manufactured lies.

We examined all of the witnesses that her lawyers . . . . submitted to us; also all police officials, their records, their wire recordings of her statement made on Monday morning following the alleged rape. After due and full deliberation and discussion, we of the grand jury could find no facts to substantiate a true bill.

We of the grand jury were told the names of the officers in Car 19 . . . . We made it plain to both white and colored witnesses . . . . that we truly wanted to get to the bottom of the case. Also that, regardless of who was guilty, and if they were guilty, we would indict them . . . .

★

IT HAS not been many weeks since in Elmore County two white men were sent to prison for 40-odd years for raping Negro women. We have no doubt that had there been evidence, the same would have happened here.

In any event, all witnesses were heard and the case ran the full process of our Anglo-Saxon system of justice. What more could have been done?

Two Alabamians Face Rape Charges

GREENVILLE, ALA., July 28—Two men charged with attacking two DeFuniak Springs, Fla., women, were released here yesterday each on $1,000 bond.

Deputy Sheriff W. W. Thomas said the men were released from jail after a hearing before Justice of the Peace R. H. Riley. They were bound over to the grand jury.

The two men were listed by the sheriff's office as Louie Harrington, 30, Opp, Ala., and Joe Stokes, 31, of Coffee County. The women who reportedly said they had been raped were listed by Deputy Thomas as Mrs. Stella Bishop, about 28, and Mrs. Helen Johnson Ruger, 20, both of DeFuniak Springs, Fla.

The attack, according to the deputy, was allaged to have taken place in an automobile near Chapman, Ala., 14 miles south of here, July 21 in the early morning hours. Thomas said the spot where the car was alleged to have been parked was about two miles off of U. S. Highway 31.

The men were arrested in Andalusia on July 21, Thomas said.

At the hearing yesterday, Mrs. Bishop reported to be the mother of four, said the was attacked by Harrington, and Mrs. Ruger said she was attacked by Stokes.

4 Rape Suspects Freed On Bond

HUNTSVILLE, ALA., Aug. 18—(AP)—Four young men charged with raping an 18-year-old girl were free on $1,500 bond today.

Circuit Solicitor Jeff R. Smith said Bruce Luna, Jr., William R. Glenn and Henry Phillips waived a preliminary hearing and were bound over to the grand jury. James Birdsong will appear in inferior court for a hearing Sept. 9.

The solicitor said the men were accused of giving the girl beer to lower her moral resistance, then driving out on a lonely road near Huntsville and raping her.

Smith said doctors told him the

GI Pleads Guilty To Raping Girl

DOTHAN, ALA., Aug. 11—(AP)—In a surprise move, Denver Jernigan, 24-year-old soldier, today pleaded guilty to raping a 16-year-old high school [redacted]

Circuit Judge D. C. Halstead sentenced the Fort Benning, Ga., enlisted man to 12 years in prison, the penalty fixed by the jury drawn to hear the case.

Sheriff J. Walt Cameron said the mother charged that Jernigan raped the girl while they were double-dating with another couple.

Cameron said the other couple left a car in which they were riding. When they returned, after a brief absence, they found the girl weeping on the back seat.

girl had the mental powers of a 12-year-old child. He said she had been placed in an institution.

Girl, 17, Claims Rape Attempt After Answering Ad For Job

MOBILE, ALA., June 24—(AP)—A 17-year-old high school graduate testified in recorder's court today that a Mobile businessman tried to rape her when she answered a help wanted advertisement.

William L. Ingram, 47, was bound over to the Mobile County grand jury under $2,500 bond after the hearing by Judge William Bekurs. He was held on a charge of assault with intent to rape.

Blonde, attractive Orcel Leona Patrick testified that she came to Mobile from Citronelle, Ala., looking for her first job.

She said that when she answered the advertisement for a woman to answer the telephone, Ingram took her to a hotel room. There he attempted to rape her, she related.

Sheriff W. H. Holcombe said that a similar charge of assault with intent to rape was placed against Ingram last night in connection with another alleged incident.

Holcombe said that a 19-year-old Mobile girl, Willie Jean Wambles, accused Ingram of attempting to rape her in the kitchen of a night club last January. She told the sheriff she had answered a help wanted advertisement.

Ingram was released on bond of $2,000 in this case, and a hearing scheduled in inferior court July 2.

He operates a Mobile electrical firm.

4 Shelby Men Are Held On Rape Charges

Waitress Claims Men Lured Her To Lonely Cabin

COLUMBIANA, ALA., Oct. 24.—(AP)—Six men were in jail today, four on rape charges based on a young woman's complaint she was lured to a lonely mountain cabin, then beaten and attacked.

The fifth man was held as an accessory and the sixth as a material witness.

Sheriff Luther Bozeman said the four men are charged with raping Frances Rippey, 22-year-old night club waitress, after picking her up at a night spot 12 miles southeast of Birmingham.

The men accused of rape were listed by the sheriff as Bill W. Morell, 30, Harpersville; Robert Durr, 23, Wilsonville; James Lee Kelley, 16, Vincent, and James Edward Thomas, 18, Vincent.

Accessory Held

Booked as an accessory was Bobby Kelley, 18. Walter Evans, 40, Wilsonville, was held as a material witness.

Sheriff Bozeman said Miss Rippey, a waitress employed at the Clover Club, told of being picked up at nearby Club 91 by six men who promised to drive her to work.

Instead of taking her to work as promised, she said, the men drove to a lonely, one-room cabin. There she was beaten about the head, Miss Rippey added, and her clothing was ripped to tatters.

Sheriff Bozeman, who went to the cabin with officers, said the place "looks like a cyclone had hit inside. There were blood splotches all over the house. Chairs were smashed. Other articles were broken and thrown about it."

All of those arrested are in Shelby County jail here.

Six Men Jailed In Assault Of Shelby Woman

Young Waitress Also Given Brutal Beating, Police Told

BY R. E. (BUSTER) HOGAN
News Staff Writer

COLUMBIANA, Ala., Oct. 24—Sheriff Lumer Bozeman said six men are in County Jail today in connection with the beating and criminal assault of a young Harpersville woman.

The men were taken into custody over the week-end after the victim told officers she was lured into a lonely one-room cabin, beaten and attacked, the sheriff said.

The victim, Miss Frances Rippey, 22, waitress at the Clover Club, 10 miles south of Birmingham on the Florida Short Route, is under a doctor's care. She was badly beaten about the face, body and legs.

Sheriff Bozeman listed the six jailed men as:

Billy W. Morrell, 30, Harpersville; Robert Durr, 23, Wilsonville; James Lee Kelley, 16, Vincent, and James Edward Thomas, 18, Vincent, charged with rape.

HE SAID Walter Evans, 40, Wilsonville, is being held as a material witness, and Bobby Kelley, 18, Vincent, is being held as an accessory.

The sheriff said James Kelley admitted taking the woman to the cabin in company with other men.

State Investigator W. L. Allen, who investigated the case with county officers, said both Kelley and Evans gave them statements admitting their part in the Friday night affair at the cabin.

* * *

BOZEMAN SAID the one-room cabin was identified as the home of Morell, father of two children. He said Morell's wife and children were away in Mississippi Friday night.

The sheriff said the home "looks like a cyclone had hit inside. There were bloodsplotches all over the house. Chairs were smashed. Other articles were broken and thrown about it."

The sheriff said "Evans told us of the beating and how he tried to intervene. He said he was made to sit down at the point of a knife and watch the proceedings. He told us it was a horrible thing to watch."

Investigator Allen said that young James Kelley, after being confronted with Evans' story, broke into tears and said between sobs, "I'll tell you the story as it happened."

Allen said his story "was about the same as that told by Miss Rippey."

Durr and Evans are both fathers of two children.

Assisting Bozeman and Allen were Lake Burdick, state ABC officer, and Ed Garrett, chief deputy sheriff of Shelby County.

Investigator Allen said Miss Rippey gave this account:

She went to the Club 91 on the Florida Short Route and waited there for the Clover Club to open. During that time, she met Evans, whom she knew "casually." He was with four other men.

"She told us," Allen said, "that Evans promised to take her to the Clover Club. She went with him and the four men to the club, but then they turned the car around and took her to a cabin at Dead Hollow near Harpersville.

"She said everyone got out of the car but Evans and she got out when he made advances. She told us about going to the cabin and being grabbed by the four men who took her inside."

"The girl told us she was beaten and escaped once, running and crawling away but was caught and dragged back to the house and assaulted. She said she kicked one of the men clear across the room. One of the men held a butcher knife over her threatening her. After it was over she persuaded them to take her home and promised she would say nothing. They did, and she called the sheriff."

Four Rape Suspects Held For Grand Jury

COLUMBIANA, ALA., Nov. 4 (AP)—Four men accused of the mass rape of a night club waitress were bound over to the Shelby County grand jury without bond today.

They were listed as Bill W. Morrell, 30, Harpersville; Robert Durr, 23, Wilsonville; James Lee Kelley, 16, Vincent, and James Edward Thomas, 18, Vincent.

The quartet is charged with raping Frances Rippey, waitress at the Clover Club near Birmingham two weeks ago. Miss Rippey told Shelby County officers she was lured to a lonely mountain cabin before the attack.

Judge J. M. Leonard, Jr., conducted the preliminary hearing of the case.

Mistrial Declared In Rape Case

ATHENS, ALA., Nov. 11.—(AP)—The trial of Gene Herndon on a charge he raped an Athens waitress ended today in a mistrial after 11 hours of jury de-

bate.

Herndon, 31-year-old Grenada, Miss., electrical worker, was accused of raping Eunice Duggar, 22, last May 10 at an isolated section near Athens.

Court attaches said Herndon would be tried again on the rape charge in March at the next term of Limestone County circuit court. He is under $1500 bond.

Miss Duggar testified during the trial that she resisted and screamed when Herndon forced himself on her. Herndon told the court he had relations with the young waitress twice, but by her consent.

Rape Attempt On 2 Negroes Costs 5 Years

White Man Sentenced After Pleading Guilty; 'Broker' Sent To Jail

A self-styled census taker, who admitted attempted rape of two Negro women, was sentenced to five years in the penitentiary by Montgomery Circuit Court yesterday.

Calvin Fox, 29-year-old white man, admitted two separate charges that, while posing as a census taker, he entered the homes of Negro women and attempted to ravish them.

Judge Eugene Carter sentenced him to three years on one count, two on another.

R. H. Robinson, a suave 45-year-old man who claims to be a "big Wall Street broker," was given a total of four years by Judge Carter on two counts of forging checks.

Two similar cases against his wife, Martha Robinson, were dismissed when Robinson decided to plead guilty.

Goodsons On Probation

Frank and Robert Goodson, brothers and former operators of a service station on Decatur Street, were given suspended sentences of three years each after pleading guilty to charges of receiving stolen goods.

They were placed on probation.

The Goodson brothers were arrested several months ago after county officers found a cache of stolen goods in the rear of their service station.

The man who admitted putting some of the loot there, Jerome Lopez, got sentences totaling four years.

Otis Milligan, 41-year-old farmer, was sentenced to 12 months, suspended sentence, for manufacturing whisky.

Tommie Williams, Negro, was found guilty of burglary by a jury and sentenced to three years. His partner, Johnnie Lee Williams, immediately pleaded guilty on hearing Tommie's sentence.

Saves A year

The quick action saved him a year—he received only two years because of his plea of guilty.

Other pleas and sentences yesterday were:

Oscar Hopkins, pleaded guilty to assault to murder, two years probation; Charley Jackson, Jr., petty larceny, 7 months hard labor; Willie Mabson, grand larceny, two years probation; Lee Ponder, carrying concealed pistol, 7 months hard labor; Charles Snell, grand larceny, two years probation; Eliza Ledyard, manufacturing liquors, 13 months probation; Eddie Lee Roper, grand larceny, two years in penitentiary.

Local Man Jailed, On Assault Charge

A 22-year-old Birmingham man was in City Jail today charged with raping an Ensley girl on his second date with her.

Police identified the man as James C. Clark, of 6903 Third Avenue North.

The girl told police she was raped by Clark Sunday night. City Detective R. A. MacMurdo and W. J. Haley are investigating.

Negro Prefers Charge Against Two Policemen

Evidence Insufficient To Take Legal Action, Says Solicitor

Gertrude Perkins, the Negro woman who claims she was raped by two local policemen, swore out a warrant yesterday against the men, as yet unidentified.

The woman said she could recognize the men but did not know their names. The law permits such a warrant using the names "John Doe" and "Richard Doe" as the legally accepted fiction when the exact names are not known. To be served, however, sufficient information as to the identity of the men must be supplied.

Sheriff G. A. Mosley said he would try to find out the identity of the men and serve the warrants.

Attorneys for the woman, Jack and Virgil McGee, stated that they would, if necessary attempt to compel Mayor John L. Goodwyn by legal action to identify the men.

The mayor, who had previously investigated the case and branded the charge "completely false," said that he did not know which two men were referred to. Under Montgomery municipal government, he is also the commissioner of police.

Circuit Solicitor Temple Seibels said he has reviewed the facts and could not find evidence sufficient to place charges against the men. He added, however, that he would submit the matter to the attention of the May session of the grand jury. Mayor Goodwyn turned the case over to Seibels after the city's investigation.

Man Held At Ozark On Schoolgirl's Charge

OZARK, Ala., Jan. 13—(AP)—A 33-year-old man identified as J. H. Keese was being held in Dale County jail without bail today on a charge of attempting to rape a [illegible]-year-old schoolgirl.

Sheriff E. L. [illegible] said Keese is being held on a formal charge of "attempted carnal knowledge of a minor." Keese denied the charge, the sheriff said, but added that the girl victim and an 8-year-old companion both have identified Keese as the assailant.

Negro Faces Trial For Rape Today

LUVERNE, Ala., March 14—(AP)—A confessed Negro rapist goes on trial for his life here Tuesday just 16 days after an attack on a white woman.

Jim Arrington, 28, pleaded guilty at his arraignment last week, will face a jury empowered to sentence him to the electric chair. County Solicitor Hilton H. Little said the state will demand the death penalty.

Arrington was arrested Feb. 28 after a 35-year-old farm wife said she was raped while working in a field. Sheriff H. G. Horn said the woman picked Arrington out as her attacker.

Later, at Kilby Prison, the Negro confessed, Warden George W. Garner said. He was taken to Kilby for safekeeping because the sheriff said "some fellows looked like they were going to get violent."

3 Youths Charged With Rape Intent

BIRMINGHAM, Ala., Feb. 16—(AP)— Three men [redacted] charged today with intent [illegible] three [illegible] high school girls near Republic, Ala., yesterday.

At county jail, where they were held for $1,000 bonds, they were listed as Ralph E. Teer, 23, and Leroy Young, 17, both of Birmingham and Harvey D. Wheat, 31, Gadsden.

Deputies J. .. Boggan and W. D. Newsome gave this account:

The three girls, all 13 years old, were stopped by three men in an automobile. Two of the girls ran and got away. The third was caught and thrown to the ground.

She screamed and managed to break away.

The car in which the three men were riding went into a ditch when they attempted to turn around. The father of one of the three girls blocked the road.

Neighboring housewives came up and attempted to beat the men with sticks. They got away in the confusion. An abandoned car was found two miles from the scene.

'Rape Cry' Against Dixie Cops Falls on Deaf Ears

MONTGOMERY, Ala.— Dixie justice is running its usual course here. In spite of the petition of a citizens' committee and the victim, local police have failed to take any action against two white policemen accused of criminally attacking a colored woman.

The victim, Miss Gertrude Perkins, 25, after reporting the brutal act to police headquarters, told a citizens' committee headed by E. D. Nixon, the following story:

On March 27, about 2:30 p.m., while on her way home two policemen drove up, accused her of being drunk, ordered her into their car saying they were going to arrest her. Instead, they took her to Clayton Alley where at gun point each criminally assaulted [redacted].

Perverted Act

The first officer forced her to do a perverted sexual act, and then the other did the natural sex act, Miss Perkins sobbed. After he finished, the first one did the natural sex act. They then took her to the spot where they had picked her up and put her out of the car.

As the young woman sobbingly made her way home, a veteran questioned her and then accompanied her to police headquarters where they reported the case. On their way back from headquarters, the two policemen who attacked her, overtook them and tried to get Miss Perkins to say she would forget the incident.

They promised her Christmas gifts ahead of time if she would drop the matter. While the conversation was in progress, another police car arrived on the scene but they did nothing about it.

The attacking officers, who already had been to Miss Perkins home and talked to her relatives tried to force her to marry the veteran.

The citizens committee includes representatives of the NAACP, Ministerial Alliance and Negro Improvement League. The committee took Miss Perkins to the proper authorities where she gave a sworn detailed account of the attack. Action was promised the next day, but nothing was done. The authorities said it would take several days before they could handle the case.

Montgomery Mayor Raps Agitators In Alleged Assault Case

MONTGOMERY, Ala., April 15—(AP)—Mayor [redacted]wyn accused "agitating groups" yesterday of appealing to racial prejudice rather than to the law in seeking justice in an alleged rape case.

He attacked the National Association of Colored People and other groups for "sowing seeds of discord" in trying to get a trial by newspaper.

* * *

GOODWYN'S CRITICISM followed charges by Gertrude Perkins, 25-year-old Negro, that she was raped by two white police officers here last month.

The woman swore out warrants for the arrest of the officers, whose names she did not know. The warrants, listing the policemen only as "John Doe and Richard Roe," charged rape.

Virgil McGee, the woman's attorney, said the Police Department refused to identify the officers.

Mayor Goodwyn, who is also police commissioner, denied this and repeated an earlier statement in which he branded the woman's "completely false."

If these agitating groups "had any regard for constitutional legal processes, they would recognize this case is in the hands of the highest authority provided under our laws for determining whether there is sufficient evidence to justify prosecuting anyone for alleged offense," Goodwyn said.

Goodwyn ordered an investigation earlier and turned the evidence over to Circuit Solicitor Temple Seibels to present to the Grand Jury next month.

* * *

ATTORNEYS FOR THE WOMAN, Virgil McGee and his brother, John N., Jr., said yesterday they have received anonymous telephone calls threatening violence.

Threats of disbarment have also been received, but these incidents have not been reported to police, Virgil McGee said.

Accused of Rape; Fined for Theft

BIRMINGHAM — The kind of [illegible] that [illegible] "Uncle Tom" Negro leaders defend showed its true color again last week.

A white youth held for attack of a 27-year-old Negro woman was fined $50 for the theft of clothing and other belongings of his victim.

The man, Euel O. Dollar, of near by Ketona, Ala., was tried on charges of the rape and robbery of [illegible] [illegible] [illegible]

Poor Rape Woman Fined For Theft

BIRMINGHAM, Ala. — Although positively identified by the complaining witness as the two white boys who raped and robbed her, Herschel Murphree and Euel O. Dollar, both 17, were fined $50 and costs after Dollar had been found guilty of larceny from a person. Murphree was later allowed to enter a plea [illegible] [illegible] charges.

James Is Mum; Pickens Is Not

Attorney Skips Comment On Any Conversation On Rape Case

W. Ervin (Red) James declined to say specifically last night whether he discussed the Perkins rape case" with Columnist Drew Pearson here.

"I have no further comment," he said, when asked if he had discussed the matter with Pearson.

James, attorney and brother of City Commissioner Earl James, was accused by Champ Pickens, manager of the Blue & Gray Association, of giving Pearson information upon which he criticized the city's handling of the case in a nation-wide broadcast.

The attorney issued a statement Tuesday night attacking Pickens and accusing him of being "sore" because of Commissioner James' attempts to remove him from the city's payroll, on which he is listed at $25 a month.

James, however, did not say specifically whether he discussed the Perkins case, in which a Negro woman accuses two policemen of rape, with Pearson as they drove to Dannelly Field after a luncheon here.

Pickens fired back at James last night in a statement carried herein.

The text of Pearson's remarks was furnished The Advertiser yesterday by the American Broadcasting Company. It follows:

"Mayor Goodwyn, please get to the bottom of that Gertrude Perkins rape case. I'm afraid your police may be more guilty than I previously thought."

In a luncheon address here the previous day Pearson said it appeared the city "has nothing to be ashamed of" in its handling of the case.

Pickens wrote Pearson a protest, accusing the James Brothers of trying to "wreck" Mayor Goodwyn's administration.

The mayor insists the woman's charges aren't founded upon facts and has volunteered to give all information he has to the grand jury convening here May 16. He has declined, however, to give the woman's lawyer the names of the policemen.

Circuit Solicitor Temple Seibels has prepared a list of persons to be subpoenaed before the grand jury to tell all they know about the Perkins case.

Seibels said that he was calling everybody "who could possibly know anytihng about it."

Contents of the list is, under Alabama law, not publishable until after the grand jury adjourns.

Pickens, in a statement last night, added this caustic comment:

"The commissioner had been very affable and had never objected to the city's purchase of Blue & Gray (football) tickets through the $25-a-month plan, until I asked him for $10 due for Sugar Bowl tickets I had purchased at his request a year earlier.

"Tickets had been on sale for the Pearson luncheon for three weeks, but Mr. (Ervin) James showed up an hour before the luncheon and said he couldn't buy one. He was given one by a Blue & Gray director whose guest could not attend.

"Mr. Pearson stated at the

luncheon he was for the Blue and Gray shrine (expansion of Cramton Bowl in commemoration of the Blue-Gray endeavor to cement North-South friendship) and would do all in his power to help it. I have no idea what Mr. Pearson will do now, since his ride to the airport with Mr. (Ervin) James.

"I think the public is tired of hearing about the whole business, and so am I. So far is I'm concerned this is the last episode of my adventures with the James boys."

Man, 28, Accused Of Assaulting Girl, 8

Charles Darrow, 28, 1508 First Avenue, Sherman Heights, was in City Jail today on a charge of raping an 8-year-old girl.

Darrow was arrested yesterday [illegible] the child was [illegible] to T. C. I. Hospital for treatment. [illegible] child's mother told police [illegible] [illegible] occurred shortly before [illegible] yesterday [illegible]

Woman, 70, Accuses White Alabamian

ANNISTON, [illegible] white man [illegible] stand trial [illegible] aged woman's charges [illegible] tered her house with [illegible]

Louis Clark of Alexandria [illegible] case growing out of charges made by the 70-year-old woman was [illegible] here last week.

Assault Case Is Bound Over

ATHENS, Ala., May 20—(AP)—Gene Herndon, 31, Grenada, Miss., today was bound over to the grand jury on a rape charge.

He is accused of raping a 21-year-old Athens waitress the night of May 12 after driving her to a lonely road about eight miles east of Athens.

The defense presented no witnesses at the preliminary hearing before County Judge David Rosenau.

The court ordered that Herndon, employe of a Mobile electrical company, be held without bond pending action of the grand jury.

Blind Woman Says She Beat Attacker Off

TALLADEGA, Ala.—(AP)—A blind woman [illegible] yesterday how she beat off with her cane a white man who tried to take advantage of her blindness and molest her.

[illegible] of Police Willis Dean quoted Josie Randolph, an employee of the Alabama School for the Blind, as saying she became lost on the street Saturday and asked the man for directions.

He told her, she reported, he would be glad to show her the way. Instead, she added, he maneuvered her to the rear of houses by the railroad track.

There, Miss Randolph said, he tried to throw her to the ground and threatened to kill her if she did not submit.

Miss Randolph, in her 30s, lashed out with her cane and screamed for help. She said the man "hollered" when she struck him, then ran.

Chief Dean said he has questioned a score of suspects and is continuing his investigation. He added that a resident of the community described the assailant as a white man of medium build.

30 Witnesses Called In Perkins Case

The Montgomery County Grand Jury began its investigation yesterday of the Gertrude Perkins rape case.

The 25-year-old Negro claimed she was raped by two city policemen on the night of March 27.

Thirty witnesses were called before the grand jury yesterday morning. Among them were 10 or more city policemen and detectives. Ten or more Negroes also were called.

The Circuit Court has refused to compel Mayor John L. Goodwyn to identify, if he could, the two men. The court also has refused to force Sheriff G. A. Mosley to arrest two policemen on "John Doe" and "Richard Roe" warrants.

The mayor has publicly branded the Negro's charge as "completely false." But he turned the matter over to Circuit Solicitor Temple Seibels who brought it to the present grand jury's attention.

The grand jury is not expected to report on this, or any other of its investigations before late today or tomorrow.

Woman Accuses Two In Attack; Both Held

Two men charged with criminally attacking a 30-year-old East Lake matron have been ordered held without bond for Grand Jury action.

Ray Perry, 21, and Ray Setliff, 22, were arrested several days ago on warrants sworn out by the woman.

Testifying Friday before County Judge G. C. Boner, the woman said Setliff beat her and forced her to have relations with him on the back seat of an automobile being driven by Perry.

She said that Perry later struck her several times and forced her to submit.

The attacks occurred, the woman testified, after a date during which the two youths, herself and another woman had visited a nightspot. The other girl had been taken home before the attack upon her, the witness said.

Both defendants took the witness stand and admitted they were intimate with the woman. They denied, however, that they had struck her or forced their attentions upon her.

Deputy Solicitor S. L. Irwin prosecuted for the state. Atty. Hollis Parrish defended both men.

Perry admitted on the witness stand that he is now on probation from a robbery sentence. Setliff was recently fined $150 and costs after being found guilty of second degree manslaughter.

Negro Woman's Charges Dropped

MONTGOMERY, Ala.—(AP)—A Montgomery County grand jury washed its hands yesterday of a Negro woman's charges that she was assaulted by two white policemen.

The jury said it could find no direct evidence except from statements of the woman herself to support indictments against anyone.

Gertrude Perkins, 25, swore out "John Doe" and "Richard Roe" warrants last month against the men who she said, attacked her in a patrol car March 27. She said she did not know their names.

2 Tallapoosa Youths Charged With Rape

ALEXANDER CITY, Ala., July 2—(AP)—Two 16-year-old Tallapoosa County youths have been bound over to the grand jury here after a preliminary hearing on rape charges.

Probate Judge Jack Coley identified the youths as Robert Goodwin, Alexander City, and Gene Walls Harris, Kellyton. The two were arrested Wednesday night on charges of attacking a 17-year-old Sunny Level girl.

Grand Jury Frees 2 [illegible] Policemen Who Attacked Woman

MONTGOMERY, Ala.—The grand jury here last Friday dismissed criminal attack charges against two white policemen brought by Mrs. Gertrude Perkins, 25, after testimony had been offered by 30-odd witnesses including 10 city policemen.

"John Doe" and "Richard Roe" warrants had to be sworn out by the attack victim, who did not know the names of the officers who assaulted her and was not able, through attorneys, to force Mayor J. L. Goodwyn to make their names public.

Pearson—Pickens—Perkins

The controversy over what columnist-radio commentator Drew Pearson has said about the Gertrude Perkins case would be funny if there were not in it elements of tragedy.

In the first place, Drew Pearson had no cause to stick his long nose into the matter. He was invited here to speak, with the open suggestion that he might help to build the Blue Gray Memorial in which he had expressed interest. After a stay of two or three hours he announced with remarkable assurance that there was nothing to the charges of Gertrude Perkins that two policemen raped her on the night of March 27.

Leaving our city, he stated from Atlanta over a nation-wide hook-up Sunday night that, contrary to his first opinion, he now found that the charges deserved close investigation by Mayor Goodwyn. If the matter had ended there nobody would have been injured but Drew Pearson who, by his snap judgment and quick reversal, had made himself vulnerable.

But, alas, Champ Pickens, general manager of the Blue and Gray Association, who should be more interested than anybody else in keeping the Blue and Gray out of politics, literally dragged his organization into the fray by writing Pearson (and giving out copies to the newspapers) that "the information you referred to could have come from no other source but Mr. Red James."

Mr. Pickens did not explain why he assumed that Drew Pearson is barred from reading Montgomery newspapers, which have been carrying stories on the case for a month. Nor did he give his reasons for believing that Mr. Pearson, in declaring there MIGHT be grounds for prosecution, of the policemen, was any more of a scoundrel than when he had previously decreed that there were NO grounds for prosecution.

Furthermore when Pearson gave the Police Department a clean bill of health (on two hours visit) nobody raised a howl concerning where the columnist got his information. He was a fine fellow, regardless. But when Pearson reconsiders, and questions the police defense, then he is a Meanie and he could have got that way only by talking to Red James.

Now the political angle? We merely quote from Tuesday's Advertiser:

"(The James to whom Pickens referred to (sic) is W. Ervin James, brother of City Commissioner Earl James. Pickens said that 'if there is anything' that Earl James has 'not done to wreck the Goodwyn administration, I am not aware of it.' Red James accompanied Pearson to the airport upon his departure, Pickens told newsmen.)"

The bald suggestion here that Commissioner James put his brother up to connivance with Pearson in order to injure Mayor Goodwyn may appeal to some people; we do not accept it. Further, we do not believe that a majority of the citizens of Montgomery look with favor upon any move to involve political personalities in the administration of justice.

7970

ASSAULT CHARGE FILED

White Man Charged In Attack On Negro Woman

LITTLE ROCK, Dec. 31.—(AP)—A charge of raping a Negro woman was docketed against a married Morrilton, Ark., white man here Friday.

Mitchell Harvill, 29-year-old construction worker, had been held since the woman reported Tuesday night a white man had entered her car, made her drive to the outskirts of Little Rock and forced her to submit.

Conviction could carry the death penalty. Prosecutor Edwin Dunaway said Harvill will be given a preliminary hearing in municipal court next week.

The woman told police the man who molested her lost an upper plate in a struggle. Later that night a taxicab driver reported a man with no upper teeth tried to get out of paying his fare, and police arrested Harvill. Harvill maintains he is innocent.

CONFESSION REPORTED IN ASSAULT ON CHILD

Prosecutor Says Blytheville Man Admitted Charge

BLYTHEVILLE, Ark., April 12—Hollis Edward Needham of Blytheville, 26-year-old taxi driver, confessed to county officers Tuesday that he criminally assaulted an 8-year-old girl here early Sunday, Pros. Atty. H. G. Partlow announced.

Arraigned in Municipal Court Tuesday afternoon, he waived preliminary hearing on a charge of rape. Prosecutor Partlow said a special adjourned day of court, the criminal term now in session, would be sought to try the accused man.

Placed in jail following his return Monday night from Hattiesburg, Miss., where he was arrested Sunday, Needham made a formal statement to Sheriff William Herman and other officers.

The child's alertness led to Needham's arrest. She was able to describe the taxi to her parents when she awakened them upon her arrival home, following the crime, which occurred between 2 and 4 a.m.

The confession recites that the taxi driver went to the child's parents' home to look for a woman he agreed to go with and who had lived there. He opened the door and saw the child asleep on a sofa bed in the living room. Picking her up, he placed the sleeping child in his cab. He drove two blocks before the assault, according to the confession.

During the assault, he told the child to get out of the cab, according to the confession, Prosecutor Partlow said.

The child crawled to her home and awakened her mother. Her serious condition was improved late Tuesday.

Officers are checking the record of Needham, who said he received a dishonorable discharge from the Army after serving a two-year sentence on a charge of assault with a deadly weapon. He said he "drew an ax" on a man in Alaska in a quarrel over a woman.

Negroes Capture White Fugitive

WARREN, Ark. — (ANP) — Two Negroes last week were the heroes in the capture of a white salesman suspected of raping a Fordyce waitress July 5.

Smart work by Jesse Belin and Clyde (Jim Bo) Green brought about the capture of fugitive Robert Ray Doshier of Texarkana after police officers had sought him for six days in the woods.

According to Sgt. Charles Boyd of the state police, Belin walked five miles from his home to Hermitage to report Doshier's whereabouts after Doshier had stopped at his home, eaten, and been doctored for a snakebite.

After Doshier left Belin he met Green, who hauls pulpwood. He asked Green to take him across the river, offering him $50. Green, on a fishing trip with his wife, recognized the white man as a fugitive wanted by police.

He agreed, but first asked him to help him set out a fishing line. Then he slung the line around the white man, and tied him up with it. He took him to the home of white Fred Quimby near Warren, and police picked him up there.

Doshier is now in another jail. He comes up for trial July 27 in Hampton.

Rape Charge Faces Ashdown White, 27

ASHDOWN, Ark. — (ANP) — A 27-year-old white man was arrested and held without bond here last week on charges of raping a young Negro girl near Ogden.

The accused, Edwin Jackson, was arrested by the sheriff and night marshall near the scene of the attack. The victim, 18-years-of-age is confined in Jamison hospital, Texarkana, with a reported back injury.

SIX ARKANSAS WHITES ARRESTED FOLLOWING RAPE OF IDABEL GIRL

Drunken Men Take Advantage of Couples In Stalled Car On Way to Texarkana

FIND RAPE FIEND LYING ON GIRL'S CLOTHES

ASHDOWN, Ark. — (Special) — A 27-year-old Ashdown white man was being held by Little River county officers here Thursday in connection with the rape late Wednesday night of an 18-year-old Negro girl near Ogden.

The girl, who said she was riding in a car with three other women and four men, told officers she was attacked by the man after six white men drove up to their car, which was stalled on Highway 71 about two and one-half miles north of Ogden.

All the Negroes were from Idabel. They were traveling to Texarkana.

Night Marshall Robert Needham of Ashdown quoted the girl as saying the white men, ranging in ages from 18 to 30, drove up to their stalled car and told them to get it off the road. She said the men were riding in a late model Ford.

She said the men drove on down the highway, then came back and stopped. Needham said, and started searching the stalled car. She said the 27-year-old man then dragged her across the railroad tracks nearby, held a knife at her throat [illegible]

The other Negroes fled, Needham said, and she of them, Tommy Agee, caught a ride in a truck to Texarkana where he reported the incident to Miller county officers.

Miller county officers notified Sheriff Tom Jester and Needham at Ashdown.

Needham said the 27-year-old man was arrested at the spot near the railroad tracks where the girl said the attack occurred. Needham said the man was lying on the [illegible]

The girl had escaped from the man, Needham said, and had gone back to the car on the highway, picked up a coat and put it on and was trying to flag a motorist for help when he and Jester arrived.

All six of the men were arrested shortly after by Jester and Needham, and all but the 27-year-old man were allowed to make bond and released.

Needham said the men had been drinking heavily earlier in the night. All were residents of Ashdown.

The girl is confined in Jamison hospital in Texarkana.

MIXING THE DIXIE WAY. GIRL RAPED.

Ashdown, Ark.-An 18 year old girl was not only raped by a white man near Ogden last week, but the rapist injuried the girl's back in the vicious attack. Edwin Jackson of this town is being held without bond. He was nabbed by officers Robert Needham and Tom Jester near the scene of the attack. The girl is confined to Jamison Hospital in Texarkana.

Defender
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7971

Ex-Sailor Is Sought In Rape and Killings

Sonoma, Calif., July 5 (U.P.)—California highway patrolmen were blockading today to stop a green convertible carrying a former convict wanted for questioning about the July Fourth murders of two men and the rape of a young mother in the Valley of the Moon.

An all-points police bulletin was dispatched for Henry Brun Gulbrandsen, 34-year-old graduate of a Connecticut Maritime academy, formerly a roommate of one of the murdered men. He was released three weeks ago from a California prison sentence for stabbing another man with an ice-pick.

The woman victim was Mrs. Eva Paget, 32, Berkeley, mother of two children and friend of one of the slain men. She had been left for dead, brutually beaten and tied to a tree after being criminally attacked in the yard of Candlelight Lodge where both slain men were found.

The bodies, heads crushed by an Indian stone pestle from a collection in the lodge, were sprawled on the beds in the four-room cottage. The victims were Merchant Marine Lieut. Peter J. Flint, 27, member of a prominent Boyes Springs (Calif.) family, and Peter J. Jensen, 53, owner of the cabin and chief landscape gardener for the Sonoma State Mental Home.

Mrs. Paget told how a man she knew only as "Hank" lured her to the cabin from her nearby vacation place on the pretext that her friend, Lieutenant Flint, had broken his arm.

"Look for the bodies," she gasped when highway patrolmen found her.

Gulbrandsen holds the rank of ensign in the Merchant Marine. He enrolled in the Maritime Academy in Alameda the day after he was released from Chino Prison three weeks ago.

Mrs. Paget

Lieut. Jensen
Attack victims

Officer Slain; Woman Attacked

Judge denies girl's rape charge against White

What the District Attorney called rape was only old-fashioned sexual intercourse to Municipal Court Judge Joseph W. Chambers this week.

Looking down on tall, dignified, attractive Annie Farris Dykes, 20, and thin-faced, 46-year-old Willard William Furr—the girl Negro and the man white, Judge Chambers dismissed a charge of rape against Furr, a special officer, and held him under $1000 bond on a charge of false imprisonment in the preliminary hearing, held before him Thursday.

Furr was charged by the District Attorney with pretending to arrest Miss Dykes and her cousin, Jack A. Douglas, 35, of 1141½ E. 43rd pl., as they sat in a car at Imperial and Central avenue around midnight May 14, and taking the girl away in his car, raping her at the point of a gun.

The police officer lovingly kissed her breast, after forcing her to disrobe partially and after taking off his own pants, Miss Dykes testified; Then having had sex with me," patted her and told her, you're a good girl, and I'm not going to arrest you."

She didn't struggle, Miss Dykes testified, because she honestly thought she was under arrest and because she was afraid of the officer's gun.

CHARGE DENIED

Furr's arrest, it was testified to, was brought about by Douglas who said he went in search of police officers when the special officer drove away with his cousin.

The officers took Miss Dykes to Maywood Hospital where the intercourse was proved, and turned Furr over to the sheriff.

Miss Dykes, who lives at 1614 E. 24th st., said she and Douglas were staked out in the car, watching for an erring younger girl relative whom her mother feared was going astray.

Furr, however, said the pair was making love and said he only took Miss Dykes away to meet a brother officer, who was a Negro. He denied the rape charge.

Comedian's son held as girl, 15, is raped by 2

The 17-year-old son of a now deceased movie and stage comedian was charged by Newton Division juvenile officers this week with being in "danger of leading a lewd and immoral life" and must face trial.

Also held, two young men, in connection with the rape of a 15-year-old girl.

The boy and the girl, whose names are withheld by this paper because of their youth, took part in an orgy Saturday afternoon in the girl's Eastside home, Newton juvenile officer Kermit Brown said, in which the girl was raped by the adults while the 17-year-old held her hands and held a pillow over her head.

Held on a charge of forcible rape are two brothers, Bruce and Robert J. Welsh, 20 and 22, of 924 E. Jefferson.

Brown, who said the girl was known to authorities as a juvenile delinquent, said investigation indicated the girl had laid herself open to the proceedings of the afternoon. According to the officer, the boy told him he had frolicked in the girl's home earlier that afternoon and, naked, she invited him to have intercourse with her.

When he saw a scar on her body from a Caesarian operation, his enthusiasm waned, the youth said, and he left, apparently taking the proposition to the Welsh brothers.

They returned with him to the girl's home where a coquettish proceedings began, in which the girl allegedly teased the men with promises and denials of herself.

Finally, the boy said, the two men seized her, stripped off the clothing she had put on, and raped her in turn.

Police said Bruce, when arrested, said: "We were all over to the girl's house, and I feel like I ought to talk about it, but I know everything I say now will be used against me later, so I better not."

Robert, a metal worker, allegedly said, "I was arrested before for grand larceny and I know that anything I say now will be used against me."

COTTON PICKER SEIZED IN RAPE SLAYING OF BABY

Fresno, Cal., Nov. 21 [Special]—A migrant Mexican cotton picker, 21, was held without charge here today for questioning in connection with the rape-slaying of Josephine [illegible] months, whose raped body was found in a field after an all day search by police and volunteers.

Authorities did not disclose the nature of their evidence against the suspect. Deputy Coroner L. R. Webb said [illegible] autopsy that the girl, whose head was found imbedded in mud, had mud in her lungs and had been smothered. Her coat had been thrown over the body; her other clothes were found nearby.

Josephine disappeared about 12:30 a. m. yesterday from an automobile parked in front of a dance hall in Huron in the San Joaquin valley, 45 miles southwest of here. Her parents, Mr. and Mrs. Joe Yanez, employed as cotton pickers on a nearby ranch, said they had attended the dance and had left the girl unattended for less than five minutes while preparing to start home.

His Brutal Rape Of His Child Brings Prison

LOS ANGELES, July 22—(AP)—The brutal rape of his 2½ year-old daughter has brought a prison term for Carl M. Hott, 28, a 220-pound boilermaker's helper.

Hott, convicted yesterday, was sentenced to one year to life in San Quentin prison. Superior Judge Stanley Barnes heard a statement from Hott's wife, now in Keyser, W. Va.

"I don't think he should ever be let out in this world again. He has always been cruel and brutal to the children, to myself and to dumb animals," she said.

Hott admitted the morals offense against his daughter, Carol Elaine, while he was caring for her and her twin brother, Carl, in a trailer. The judge ordered him to undergo psychiatric treatment while in prison.

Sex Fiend Kills Another Child

FRESNO, Calif., Nov. 21—(AP)—The raped body of an 17-month-old girl was found in a muddy field near Huron last night, her head jammed in the mud.

Deputy Coroner L. R. Webb said the girl, Josephine Yanez, was raped and then smothered in the mud. There were teeth marks on the body.

The child was the daughter of Mr. and Mrs. Joe Yanez, of Huron. She was kidnaped from her parents' car in front of a dance hall at Huron, 40 miles southwest of here, early today.

J. Ed Martin, head of the Fresno County Sheriff's Office Criminal Identification Bureau, said the killing was "the most [illegible] murder committed in this county.

7972

2 Indicted In Rape of D. C. Woman

Case Among 36 On Busy Calendar Handled by Court

Two men were indicted here yesterday on a charge of raping a 20-year-old Government employe at her 2601 Argonne pl. nw. apartment.

They are Oakley J. Powers, 29, 17234 G st. nw., and Beaman Heath, 24, 540 20th st. S. Arlington.

According to court papers, the two men barged into the woman's quarters with a bottle of champagne, forced her to drink and then made her submit to their advances by threatening her with death.

Among 36 Indictments

This was among 36 indictments returned by the District grand jury.

Herbert W. Burris, 33, 731 5th st. se., was charged with carnal knowledge in connection with a 14-year-old girl. According to the girl's statement, he offered her money but she refused it.

Robert T. Patterson, 1234 7th st. nw., was charged with raping a 25-year-old woman as she slept, on June 28, 1949. She awakened, but he stifled her screams, police said.

A 19-year-old youth is responsible for the theft of five suitcases containing $1391 from trains in the Union Station here, according to a true bill. He is Charles L. Johnson of 719 Florida ave. ne.

Charged with illegally receiving three of the suitcases and contents was Catherine B. Glover, 21, 25 L st. nw.

Nurse Is Charged

Mrs. Virgie E. Pollard, 51, a practical nurse of 1724 Montello ave. ne., was charged with performing an abortion on a 17-year-old unmarried girl for $50.

John Scott, 38, of 1217 Fairmont st. nw., was charged in a five-count indictment with operation of a numbers lottery and possession of numbers slips.

A holdup of an icecream store was charged to Vance C. Nessly, 36, of 518 Missouri ave. nw. He got $9, it was charged.

Donald V. Reynolds, 28, of Houston, Tex., was charged with embezzlement of $447.50 while he was a night manager of the Doug and Restaurant in the Greyhound Bus Terminal.

Man Arrested On Woman's Attack Charge

Police arrested a 33-year-old man early yesterday on complaint of a 36-year-old housewife that he had attacked her in an alley when he ostensibly was showing her the way home.

The woman lives in the 100 block of 4th st. ne. and said that about 2 a. m., she became lost near B and 4th sts. ne. She said she inquired directions of the man and he volunteered to guide her to her home. Instead, she said, he took her to an alley in the rear of the 100 block of 3d st. se., where the alleged attack took place.

A passerby, attracted by the woman's shouts, pursued but lost the man. Police subsequently picked him up. Detectives said the woman showed no signs of violence having been used and that they will present the case today to the United States Attorney's office for decision on possible charges.

Marines Held For Jury in Rape, Sodomy

Two Quantico Marines were held for grand jury action yesterday in Fairfax County Trial Justice Court on rape and sodomy charges brought by a 19-year-old District girl.

They are Pfc. Arvel A. Nichols, 21, charged with rape, and Pfc. Robert F. Ragland, 23, charged with sodomy. Both were held in $500 bond. They pleaded innocent.

The same bond for a third Marine, Pfc. Donald E. McMichen, 21, held as a material witness since the alleged offenses occurred October 21, was cut to $500.

Trial Justice Harry L. Carrico, in holding the two Marines for the grand jury, told their attorney, Roy Swayze, that he had advanced arguments "of much merit" in asking that the charges be dismissed.

The girl told the court she met the three Marines the night of October 20 in a downtown Washington night club. They later danced at a hotel and then saw a cabaret show. At about 1 a. m., she said, she accepted Ragland's offer to escort her home.

Instead, she testified, she was driven across the Highway bridge and out Shirley hwy. to a secluded area. There, she said, Nichols threatened her life, hit her on the jaw, and forced her to submit to him.

Then Ragland dragged her into some bushes, according to her testimony, and forced her to perform an indecent act. The act was repeated later in the car, she said, just before Virginia State troopers stopped the vehicle for speeding.

She said she feigned illness to get out of the car when police brought it to a halt. Police then elicited her story.

The girl testified she was a virgin at the time the events occurred. Her credibility was attacked, however, by attorney Swayze on the basis of medical testimony by Dr. Nelson Podolnick, county medical examiner.

Dr. Podolnick said his examination "showed no marks of internal violence." He added, "so far as I could tell, she was not a virgin." There no sign of any recent defloration, he said.

D. C. Man, 34, Indicted By Jury on Rape Charge

Dallas O. Williams, 34, of 621½ Myrtle st. ne., was charged with rape in an indictment handed up yesterday in District Court by the Grand Jury.

On October 27, according to the indictment, Williams met a 21-year-old married woman and took her to his home after the couple had visited several places to drink whiskey. He is accused of forcing her to submit by threatening her with a knife.

In another true bill, one of 68 returned by the grand jurors, Carlton Burks, 27, 1220 Maryland ave. ne., is charged with assault to commit rape.

Three men were indicted on charges of operating a lottery and possessing numbers slips. They were listed as Kenneth A. Blackwell, 33, 2425 Ainger pl. se.; Harrison Dixon, 56, 2015 First st. ne., and Roy Johnson, 1519 Marion st., nw.

Indecent liberties with minors were charged to three men listed as Howard Jones, 59, 309 Thomas st., ne.; James W. Fairfax, 76 2110 19th st., nw. (janitor's apartment), and Baker Brady, alias Bradley, 441 Temple ct., sw.

Silar E. Anderson, 36, no fixed address, was indicted on a charge of committing an unnatural carnal act at the National Zoological Gardens.

Four burglaries and one attempted safe-smashing were laid to Albert R. Williams, 21, whose address is listed as 2425 I st. nw., and Michael Contee, 21, said to live at 2144½ 23d st. nw. Kenneth I. Lee, 22, listed at 2510 Ontario rd. nw., was indicted for unlawful possession of marijuana cigarettes.

As the result of mass raids on October 18, indictments for unlawful possession of morphine, heroin, codeine or cocaine were returned against a group listed as follows: Dorothy Gray, 4623 Central ave. ne.; Pearl Gray, same address; Luther Merrill, 1212 4th st. nw.; Audrey Camphor, same address; Samuel Burton, jr., 942 2nd st. nw.; Bernard Hammond, 1155 14th st. ne.; Edward J. Matthews, 2010 Rotedale st. ne.; Seymour Adler, 6024 8th st. nw.; Andrew Norman, Dunbar Hotel; James E. Halsey, 1340 Marion crt. nw.; James Patterson, fugitive; James M. Roberts and his wife, Evaline, 744 Girard st. nw.; Leon J. Bryant, 261 G st. nw.; Harold Jackson, 1226 9th st. nw.; Amanda D. Carnett, 1749 8th st. nw.; Albert Braxton, 1323 8th st. nw.; Dorothy Martin, 1333 Kenyon st. nw.; Spurgeon Anderson, 1043 7th st. nw.; Robert J. Neal, Dunbar Hotel; Nehemiah Clark, 1246 Florida ave. ne.; Maurice A. Hackney, 1735 8th st. nw.; William H. Smith, Dunbar Hotel; Peter Pogue, 6 R st. nw., and Albert S. McLean, 1722 N st. nw.

Second Man Forced To Drive 10 Hours While Assailant Waves Dynamite

After a terror-stricken kidnap ride of 10 night hours under threat of rape and death, a 19-year-old Arlington Navy girl shot her abductor to death early yesterday.

The hysterical kidnap ride was punctuated with demands that the girl submit, waving of two guns and a package of dynamite, fused to explode in seconds.

The shooting took place 3½ miles west of Berryville, Va., authorities reported. The ride began in Arlington, 10 hours earlier.

The girl walked barefoot, in torn clothing, a half mile over freezing gravel roads to surrender to authorities. She identified herself as Miss Doreen Koenig and said she was born in Middletown, Va., and had lived in Arlington a year.

A man, also forced through most of the kidnap ride at gunpoint, to act as driver, escaped the abductor, and was reporting the case to Virginia State police. As they prepared to put out a lookout order the girl called with news she had killed the man.

Lived in Arlington a Year

When Miss Koenig came to Arlington, she said, she lived with her brother, Martin Koenig, 924 N. Lebanon st., but has recently roomed at 856 N. Kensington ave.

The man killed was Charles Ellyett, 22, who recently lived in Arlington while employed by a painting contractor, and who came from the same part of Virginia as Miss Koenig.

The other man on the crazy ride was William Bryant, who recently has lived with Ellyett's parents Mr. and Mrs. J. W. Ellyett of Boyce, Va.

When officers got to Ellyett's car —to find him dead with a bullet wound near his heart—they discovered another pistol in addition to the one Miss Koenig had seized from his hip holster. In the rear seat they found two sticks of dynamite bound together with a detonating cap and a 3-inch fuse. Officers said the charge would have exploded in seconds after the fuse was lit.

Plans by Sisters Fail

A bizarre touch to the fatal escapade, officers said, was that Ellyett had herded Miss Koenig and Bryant into, and out of, the homes of at least two of his sisters at gunpoint, during the night. Both sisters pleaded with him against his acts, officers said, but to no avail.

Howard Mathers of Clifton Station, Va., in Fairfax County said last night that one stop, apparently his first, was in his home. His wife was Ellyett's sister. He said the trio were in his home from 9:30 to 10:30 p. m., but he saw no signs of a gun or of force.

At the final visit, well after midnight, Bryant finally escaped, officers said. He took another auto and pursued Ellyett vainly, finally losing the lead car.

Then, as he was reporting to Virginia State Troopers, Miss Koenig telephoned Clarke County Deputy Sheriff S. M. Carper at Berryville. When he asked what was the matter, she replied: "Murder. I killed a man. Shot him."

Carper said he learned she had appeared at the home of Alfred Nicodemus, manager of the Clarke County poor farm.

There, Carper's telephoned directions, she handed over the 38-caliber pistol to Nicodemus.

From stories of Miss Koenig and Miss Bryant, officers reconstructed the ride this way:

Ellyett started the ride with Bryant, and went to Miss Koenig's rooming house. She came out to the car to talk to him. Ellyett then drew the gun, forced her into the car, shortly after 7 p. m. He forced Bryant to drive.

Threatened With Death

Officers would not specify places where the party stopped, except the last one, where Bryant escaped because authorities were still collecting evidence and taking statements.

Part of the drive was aimless, with Ellyett entreating Miss Koenig to submit and making wild threats of death, officers said. He threatened to shoot her or blow her up or both, officers said.

The final stop, officers said, was at the home of Mrs. Virginia Owens, a sister of Ellyet, east of Berryville. There again, relatives pleaded with Ellyett to no avail. But Bryant escaped by a back door.

Ellyett then forced Miss Koenig back into the car, officers said, and drove off at high speed. Bryant obtained the Owens family car and started in pursuit. On losing the trail, he drove to Berryville where shortly after 5 a. m. he told the story to State Trooper James A. Ward.

Before Ward could put out a teletype message to pick up the Ellyett car, Miss Koenig's call came to Carper.

The Ellyett car was about three and one-half miles west of Berryville, officers said, although the last stop had been east of Berryville. The car was off the road, near a wooded area.

Miss Koenig told officers that when they arrived there, Ellyet came out from under the wheel, walked around and got in the right side of the front seat, forcing her under the wheel.

Then, she said, he waved the gun, and the dynamite, threatening to use both and blow both to death. He repeatedly demanded that she submit to him, she said, and finally began a struggle with her.

Nicodemus and officers said that she told them he first made her take her shoes off. Then the struggle began.' Officers said her blouse was torn and buttons were missing. They added there were powder burns on her skirt.

Another Pistol in Coat

Officers said they found Ellyet's body, still warm, slumped down in the right front seat of his car.

In the coat pocket, the officers said, they found another .38 caliber revolver, a cheap one, and about 50 cartridges. In the back seat was the dynamite bundle. On Ellyett's belt was a holster from which Miss Koenig told officers she seized the gun.

Miss Koenig told officers she had known Ellyett for several years. He had never finished grade school, they said, and had been arrested previously, once for brandishing a gun. The charge was reduced, it was said, to disorderly conduct.

Miss Koenig said she had gone out with Ellyett occasionally but never "sweathearted" him. Finally, at the direction of her father, Paul Koenig, of Stephens City, Va., she broke off with him. Since that time, she said, he had threatened her.

Says She Accepted Rides

She added she had accepted rides to her home from Arlington in Ellyett's car.

Miss Koenig was graduated in 1947 from the Middletown High School, as salutatorian of her class. She is described as 5 feet 2 inches tall; weight 115 pounds, brown hair and green eyes.

After leaving high school, she lived in San Francisco for a year, then came to the Washington area. She works as an artist in the Illustrators' section, Navy Bureau of Personnel.

Relatives say she takes art lessons several nights a week. One relative said she is engaged to a Navy sailor now stationed at Pensacola, Fla.

After she made a written statement yesterday to Edward McC. Williams, Commonwealth's attorney of Clarke County, she was released in $1000 bond, signed by her father.

Seven hours after the shooting, her brother, Metropolitan Police Pvt. Paul Koenig of the Thirteenth Precinct, turned in a missing person report on Miss Koenig to Arlington police. He had not been advised of the kidnaping.

Ellyett's parents have operated the Brumback farm at Old Chapel, near Boyce, Va., for three years. The youth was born at Paris, Va., lived at various places with his family, but never finished grade school, the parents said.

Besides them and Mrs. Mathers and Mrs. Owens he leaves two brothers, Howard Ellyett of Boyce and James Ellyett, jr., now in Japan with the armed forces, and five other sisters. They are Mrs. Elvira Spindle and Mrs. Edward Kennan, Berryville; Mrs. Cletus Dick, Winchester, Va., and Mrs. Alvin Poe and Mrs. Willard Pearson of Clifton Station. His parents said he had lived with Mrs. Poe while working as a painter in the Arlington area, but returned home a week ago.

Faking, Now 'Ashamed'

Father of Four Held in Rape Of Girl, 4, After Confession

Clue in Dungarees Is Tell-Tale Clew; Victim Recovering

A 33-year-old roving ironworker, the father of four children, yesterday was charged with rape. The police said he admitted attacking a four-year-old girl, beating her body to a mass of blood and bruises and leaving her near-senseless.

The man, Hugh G. Mincey, held without bond in Municipal Court for grand jury action, told police he had been drinking and was "ashamed" of what he had done. He faces a possible death penalty.

The crime took place in a second-floor bathroom in a hotel at 518 H st. nw., where both the tiny victim and Mincey lived. The little girl, nicknamed "Patch," was in satisfactory condition last night in Gallinger Hospital. Earlier she had undergone emergency surgical treatment. She had been due to celebrate her birthday Saturday with a party.

Mincey's confession climaxed one of the most extensive dragnets in recent police history and one of the speediest cases of a sex attack brought to book.

The mother, separated from her cab-driver husband, said she had left her child playing downstairs in the hotel about 7:30 p. m. Friday and gone to her fifth-floor room. When she returned, her daughter was gone. Frantically she searched the building. She had returned to her room when the phone rang. The room clerk asked her to come to the second floor.

She rushed down and there the child was—bloody, as bloody as she could be. All her clothes were gone except a little white polo shirt. Her legs had so much blood on them I couldn't see them. She didn't recognize me. She was like a baby coming out from under the water. I caught her in my arms as she fell."

Police descended en masse on the scene, every available detective and uniformed member of the force being called. Between 50 and 100 of them, they surrounded the area, sealed off the 80-room hotel, relentlessly began questioning some 60 persons.

Robert V. Murray, acting chief of detectives, and Capt. Howard V. Covell, captain of the First Precinct, directed the investigation.

Chief Coroner A. Magruder MacDonald and his two deputies, Dr. Christopher J. Murphy and Dr. Richard Rosenberg, set up a temporary lab at police headquarters to test for bloodstains.

It remained for a keenly observant police private, Norman S. Jones, dramatically to set going the chain of investigation that was to close on Mincey.

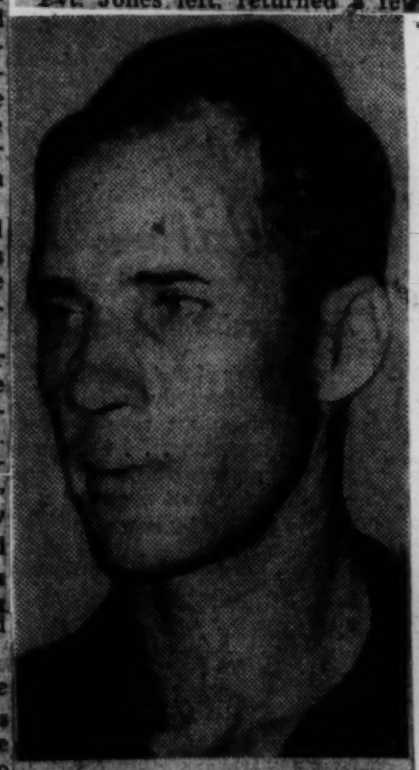
Entering Mincey's fifth-floor, $7.50-a-week room on a routine check of hotel occupants, Pvt. Jones saw Mincey sitting with some friends.

He also saw, hanging on the wall, a pair of blue dungarees—with spots as if someone had recently tried to wash out stains.

Pvt. Jones left, returned a few minutes later—and saw that the dungarees hanging there now had no water spots.

A search was made—and the water-spotted dungarees were found in an empty room.

Mincey at first denied the rape, claiming for an alibi that he was talking with friends in his room. But after questioning until 4 a. m. yesterday and again after 11 police said he confessed raping the girl before that.



The Washington Post
HUGH MENCEY
Says he's "ashamed"

In court yesterday, Sex Squad Detective George H. Robinson said tests showed there was blood on Mincey's dungarees. Mincey, he said, told this story:

He was in the second-floor bathroom when the little girl came in. He grabbed her, beat her, removed both pairs of pants she was wearing and had intercourse with her. Then he left her in a coma.

Truscott Praises Force

Mincey said he came here from Atlanta, Ga., about three weeks ago.

Inspector Floyd Truscott, acting superintendent of police, commended both the detective and uniformed force for their quick work on the case.

The mother of the child said: "Thank God they got him before he got another little girl."

Rape Complaint Of Alexandria Woman Probed

The FBI yesterday was investigating the complaint of a 32-year-old Alexandria woman who said she had been raped Saturday in an isolated section of Fort Belvoir, by a soldier stationed there.

An officer at Fort Belvoir said no arrest had been made, but that a soldier is under investigation.

The woman, he said, related she had accompanied the serviceman from the Rod and Gun Club on the post to Dougue Creek Saturday afternoon, where the assault is said to have occurred. The soldier then drove her to a filling station where she called police, the officer said.

According to the officer, the woman reported she had been drinking off the post during the afternoon with another soldier who had taken her to the Rod and Gun Club.

$355,000 Suit For Seduction Filed for Girl

A 38-year-old aviation inventor was sued for $355,000 in District Court yesterday on complaint which he called "fantastic," of 20-year-old Baraba Diane Runnion that he "raped, seduced and debauched" her.

The defendant in the suit, Ralph L. Holcombe, told reporters he lives at 4207 Farragut st., Hyattsville, Md. He said he knew nothing about details of the suit, that he had just been served with papers.

"It sounds fantastic," he added.

In the suit, Miss Runnion, who lives with her mother, Mrs. Helen Carey, at 2-E Westway, Greenbelt, Md., asks $250,000 damages. Her mother seeks $100,000 punitive damages and $5000 actual compensatory damages.

Tells of Answering Ad

According to the suit, Miss Runnion answered a newspaper ad August 8 in which Holcombe sought applications of photogenic young women to receive flying instructions.

Miss Runnion says Holcombe told her he would teach her to fly in two hours and as a result she would gain publicity and numerous opportunities.

At this time, the suit relates, Miss Runnion was "chaste and of unimpeachable morals"—and had never partaken of alcoholic beverages.

However, the suit continues, on August 10 Holcombe "compelled" her to take a drink after telling her she would be more relaxed for flying.

The suit says he then "undermined her will, demoralized her, overwhelmed her and subjected her to his will . . . against her moral and religious scruples."

'Complete Nervous Collapse'

As a result, it is alleged, Miss Runnion may be pregnant, has had "a complete nervous collapse and illness" and has been "embarrassed and humiliated."

The suit describes Holcombe as the inventor of the "buzz bonnet," a device used in pilot training, and lists his address as in care of Aviation Activities, Inc., 903 15th st. nw.

Holcombe said he is not employed by the company, but has assigned certain invention rights to the firm.

Miss Runnion, an attractive brunette, and her mother are represented by attorney Harry M. Goldberg.

Jury Indicts Man In Attack on Girl, 4

Hugh G. Mincey, 32-year-old ironworker, was indicted yesterday by the District grand jury on a charge of carnally knowing a 4-year-old girl.

Mincey, who resided at 518 H st. nw., where the attack on the girl took place, is now in District jail without bond pending District Court action.

Police said that he admitted the rape, stating that he had been drinking and was sorry. The girl found was torn and bleeding on September 13 in the H st. residence.

This was among 41 true bills returned here yesterday.

Fraud charges were leveled against the Greek Railway Express, Inc., James A. Booras, 4314 Argyle ter. nw., its organizer, and his nephew, Constantine A. Booras, of Brooklyn, N. Y.

According to the indictment, the trio made false and fraudulent statements to the Department of Commerce for export licenses and priority assistance in listing donors of gift packages sent here to Greece. Many thousands of pounds of rice and flour were involved.

Molly R. Chambliss, 44, of 736 New Jersey ave. nw., was indicted on a count of "torturing, cruelly beating, abusing and maltreating William James Apple, jr.," an 8-month-old boy for whom she was hired by his mother, Mrs. William Apple, to act as baby sitter.

Police said that on September 9 the boy was dropped by the woman who had been drinking. The boy was found by neighbors on a hall step after Mrs. Chambliss had wandered off. Mr. and Mrs. Apple had gone on a short trip.

The Worthington Oil Refiners Corp., 22d and North Oak sts., Rosslyn, Va., was charged jointly with its manager, Vernald T. Worthington, 1739 N. Troy st., Arlington, with polluting the Potomac River, with waste products and oil.

Worthington told a reporter he had "gone to great expense" to prevent oil seepage into the river. He said that he could recall only

Accused of Rape, Local Suspends Union Workman

In its resolution, the local expressed the hope "that the Iron Mincey, 38 of 518 H st. nw., solemn oath to protect the weak and defenseless and then violate this oath, the laws of their country and God."

7973

74, Held on Charge He Attacked 5-Year-Old Girl

The District grand jury yesterday indicted a 74-year-old man on a charge of taking indecent liberties with a 5-year-old girl.

Indicted on the morals charge was John R. Robinson of 1715 9th st. nw. The offense took place, according to the indictment, in the alley in the rear of his home. The girl's shouts attracted passersby who caused Robinson's apprehension, according to court papers.

The jury was returned to return no indictment in the case of two men who had been charged with raping a 23-year-old married woman and the mother of a child.

The defendants in this ignored case were Hoyt M. Jones, 22, and Edward L. Jones, 21, both of Fort Myer, Va.

The grand jury returned a total of 34 indictments in District Court.

Included were two men charged with operating a numbers lottery and possession of numbers slips. They are Frank Bleicher, 38, of 1708 Cody dr., Silver Spring, Md., and Eugene Swindler, 47, of 1173 Harvard st. nw., according to the indictments.

Charged with a $2240 robbery were Willie W. Cunningham, 30, Catherine Bradford, 25, and Jasper Prince, 30, all of 3 Poona ct. nw. The money was taken from Robert Harris, of 7 Poona ct. nw., according to the charge.

In a larceny case, eHrbert S. Holsington, 42, now at large, was indicted on a charge of taking a finger ring and money totaling $660 from his wife, Mrs. Harriet Holsington, 123 7th st. ne. The money and ring were taken from her automobile while she was in a moving picture theatre, according to police.

Charged with having carnal relations with a 15-year-old girl was Robert H. Nichols, 26, of 474 E st. sw., according to the indictment against him. David Young, 29, address listed at 1875 California ave. nw., was charged with having carnal relations with a 13-year-old girl.

7974

Laborer Indicted by Grand Jury as 1 of 5 Men Who Raped 17-Year-Old District Girl in Alley

A 23-year-old laborer, identified by a 17-year-old girl as one of five men who raped her, was indicted yesterday by the District grand jury. Tues-1-25-49.

Indicted for the rape was Roosevelt Rollerson, 23, of 1522 8th st. nw. The rapes took place in alleys November 6 about 7 p.m. in the 1100 block of 3d and 4th st. nw.

Rollerson denied the charge, claiming he was with another girl and that he had never seen the rape victim before she picked him out of a police lineup.

In another indictment, three persons were indicted for the holdup ride given Columbus W. Henry, owner of the Congress Heights Pharmacy, 3804 South Capitol st., December 15. Indicted for robbery in the case were Eugene E. Kniskern, 23, of 700 Olabama ave. se.; Jan C. Gibbs, 18, of 3717 Randal pl. se., and Miss Nadine VanGorder, 22, of 904 Alabama ave. se. A fourth defendant, the 16-year-old wife of Kniskern, is in the custody of Juvenile Court authorities.

Robert J. Larkin, 25, present whereabouts unknown, was charged with grand larceny and embezzlement of $1424.75 belonging to the National Truck Rental Co. Larkin was night car rental manager of the company, 1709 L st. nw., on July 12, when the safe over which he had control was looted. Larkin then disappeared, police said.

The convicting District Court jury declined to recommend the death penalty. Judge Edward M. Curran imposed sentence of 10 to 30 years prison.

According to police, Mason admitted the rape. They quoted him as saying that he had a sudden urge to possess the woman, and after gaining entrance to her room, pushed her onto her bed, and threatened to kill her.

The case was tried only after a jury was obtained with difficulty. Twenty-seven of the jury panel were eliminated because of aversion to imposing the death penalty. Another 27 declared they had read an editorial in The Washington Star criticizing an acquittal of a rape defendant in another case.

Harry W. Peed, 25, convicted of attempted carnal knowledge on a 7-year-old girl, was given 18 months to six years jail.

Allen S. Jackson, 48, of 23 Virginia ave. se., received five to 15 years for a yoke robbery in which a wallet and $81 were taken.

The laborer charged is James Taylor, 36, 3020 N st. nw. His daughter took the stand and tearfully testified about the alleged act. Tues-2-8-49

George McBride, 24, 1432 Simms dr. se., was held under $1000 bond on an assault with intent to rape charge. The victim is a 30-year-old woman assaulted in the 700 block of E st. se.

Walter Boston, 28, no fixed address, was charged with attempting to rape a 25-year-old mother of four children here in her home. Bond was set at $5000 for grand jury action.

Four Men Formally Charged With Rape of D.C. Waitress

Four men were formally charged with the rape of a 25-year-old District waitress by Prince Georges County police yesterday. Tue-3-8-49

Four of the men are under arrest in the District. They are Philip P. Wilson, 21, mechanic, 1608 22d st. se.; Richard E. Morris, 23, electrician, 1517 Young st. se., and David A. Young, 22, laborer, 2003 Fairlawn ave. se. 27 h(2)

Arraigned in Municipal Court before Judge Armond W. Scott they were held in $3000 bond each pending an extradition hearing June 21. 5-30-49

The fourth man, Warner J. Herbert, 26, unemployed father of seven children, 505 10th st. se., is held in the county jail at Upper Marlboro in $3000 bond.

Pvt. Lawrence Riddlebarger of the county police said a fifth man is being sought as a State's witness.

According to police, the waitress, a divorcee, was raped early Tuesday morning in Silver Hill, Md., by three of the men after she accepted a ride home from a tavern.

Two Men Held in Hyattsville On Waitress' Charge of Rape

Two District men were held without bond yesterday at Hyattsville police station after a 34-year-old married waitress charged they had raped her early yesterday in an auto on a side road in Cheverly Manor subdivision.

The men, scheduled for hearing today at Hyattsville police court, are William W. Brown, 24, of 1647 Fort Dupont st. se., and Hunter F. Swan, 19, 2423 N. Capitol st. Both were listed by police as machinists.

According to police, the woman, also a District resident, was found by a passing motorist on Landover rd. near Cheverly early yesterday and taken to the station, where she said she had been beaten and raped.

Police went to the place, where they found the men asleep in a car, they said, and arrested them.

The woman, after examination by Dr. John T. Maloney, deputy county medical examiner, swore out warrants against the men.

Dr. Maloney said his examination disclosed no apparent bruises, but added that the waitress complained of aches and pains. She was taken to Prince Georges County General Hospital.

Prince Georges County police identified him as Shelby Warren Colbert, 29, 5025 54th pl. He was held without bond in Hyattsville Jail. The alleged attack occured early yesterday a short distance from his parked convertible, occupied by two other couples, police said. Washington DC

The four and the woman were booked at Hyattsville at State witnesses and then released under $100 bond each. A hearing was tentatively set for May 9.

Police quoted the complainant as saying she was dragged from the convertible, parked on the Lanham Speedway, and forced into a nearby wooded area, where she said Colbert forced her into an act of perversion and then raped her. During the scuffle, she lost a lapel watch, which police said was found later in Colbert's pocket. Sat-Jun 30-49

The woman related that she finally broke away from Colbert and hid in the woods nearby, "in fear of my life." She said she heard other members of the party calling her by name, but when they gave up the search, she made her way to Defense Highway about a quarter of a mile away, she said. A truck driver drove her to a filling station, where she called police.

A short time later, Prince Georges County police intercepted Colbert and the two other couples driving along Baltimore blvd. to Hyattsville.

The complainant said she and another young woman from Baltimore first met Colbert, the other two couples and three other women in a Cottage Manor tavern around 2 a. m. She said she and her friend accepted their offer of a ride into Washington.

3 Held Here, 1 in County, In Alleged Rape Attack

Hearing Set Today For 3 D. C. Men; Fifth Accused by Waitress Sought

Three southeast Washington residents were held as fugitives in District jail yesterday, in connection with the rape in Silver Hill, Md., Monday of a 25-year-old divorced District waitress.

All refused to be turned over to Prince Georges County authorities and will be given a hearing in Municipal Court this morning.

A fourth man surrendered to county authorities and was held in Upper Marlboro jail for questioning. A fifth southeast resident was being sought.

Prince Georges County authorities notified the Eleventh Precinct and the men were arrested Tuesday night and yesterday.

County police said the woman gave them the following information on the case:

She went to a Silver Hall tavern late Monday night and waited for her boy friend, who never turned up. At 2 a.m. Tuesday five men offered to take her home to the District. She accepted.

Instead of taking her home, the men took her five miles to Tucker Branch, a lonely road near Old Silver Hill. There she was held while three men raped her, she told police.

She said the men told her they would kill her if she reported them to the police. They took her home at 6 a. m. and she went to bed. When she woke, she called her boy friend, describing one of the men as a "red head" and one as "looking like an ape." He identified the men and she called county police with the names and had multiple bruises and scratches and her clothes had been torn. They recovered the hat she had lost.

Landlord Given Rape Term Limit

Gets 10-30 Years When Jury Refuses Recommendation For Death Penalty

The maximum prison term for rape yesterday was imposed here on Joseph L. Mason, 34, of 30 P st. ne.

He was convicted December 21 of ravishing a 22-year-old roomer at his residence. The offense took place August 25 at 3:30 a. m.

Man, 26, Is Held For Jury Action in Laurel Rape Case

A 26-year-old Deacontown, Md., man yesterday was held for action of the Prince Georges County grand jury after pleading guilty to assaulting with attempt to rape a Laurel, Md., woman last month.

Walter G. Tillghman, who has been held since January 29 without bond, was bound to the grand jury by Trial Magistrate Arthur P. Owens of Hyattsville police court. The alleged offense occurred about 8:30 p. m. January 28, near the Baltimore & Ohio Railroad station at Laurel, it was said.

The woman, a widowed 39-year-old mother of two, told police her assailant had fled after she screamed. Feb-2-8-49

Laborer, 36, Held For Grand Jury on Sex Offense Charge

A 36-year-old laborer was held for the District grand jury yesterday under $10,000 bond on a charge of indecently molesting his 11-year-old daughter.

He was among three men held in Municipal Court on sex offenses in hearings before Judge Walter J. Casey.

Carpenter Held On Charge of Rape, Robbery

A Rogers Heights (Md.) carpenter was charged yesterday with rape, sodomy and robbery of a 30-year-old Baltimore waitress in a wooded area near Lanham, Md.

2 Teen-Age Girls Accuse 3 of Rape

Four Prince Georges County youths from 17 to 21, were arrested yesterday after two Hyattsville girls, 12 and 15, told police they were raped after leaving a movie Sunday night.

Three of the youths were charged with rape by county police. The fourth, said to have been in their company but not a participant in the alleged assaults, was held on a parole violation.

Charged with rape, police said, were Carl Meredith Caudell, 19, a pet hospital orderly of 5028 Geronimo st., Daniels Park Md.; James Eugene Largent, 21, a sign painter, of 4108 33d st., Mt. Rainier, and Robert Henry King, alias Polly King, 20, a construction worker, of 3700 Upshur st., Brentwood, Md.

The other boy, a juvenile, was turned over to probation officer Roy D. Bright.

Carpenter Seized On 2 Rape Charges

While police waited at his home to arrest him on one count of rape, a 21-year-old Arlington carpenter was accused yesterday of committing a similar offense only six blocks away.

The suspect, William Alexander Martin, 21, of 2646 Jefferson Davis hwy., was charged with one assault in Fairfax County on May 4, and one in Arlington Tuesday night.

Arlington and Fairfax police said Martin admitted both charges.

According to Arlington police, Martin was identified by a 17-year-old girl as her attacker on Tuesday night when he was brought in to headquarters to face his first alleged victim—a 55-year-old Fairfax woman.

The girl gave this account to police of the attack:

Tuesday evening, she said, she was sitting at her home when an auto horn blew. Thinking it was a boy friend, she went outside.

There, she said, two strange men she later identified as Martin and a companion, Wallace E. Bearse, 20, 805 S. 21st st., Arlington, invited her for a ride.

When she refused, she said, one of the men grabbed her and dragged her into the car. She said she was forced to ride with them across Chain Bridge to Georgetown, then back across Key Bridge down Mount Vernon blvd. to Jefferson Davis hwy.

Police said the car then turned off the highway and stopped in some woods near the intersection of 29th and S. Grant sts., three blocks from the highway, where the girl said Martin assaulted her in the back seat after she refused his advances.

When a cab drove by, the girl told police, she screamed, blew Martin's automobile horn, and fled from his car. The cab took her home and she and her mother went to police headquarters.

Meanwhile, Fairfax Detective Joe Howard, and Arlington Capt. C. B. Pressley and Detecive John Sanders were waiting at Martin's house when he and Bearse returned.

The pair were taken to Arlington headquarters where police said both women identified Martin as their attacker.

The 55-year-old Fairfax woman said she was assaulted May 4 in her summer cotage in the Gunston area near Lorton, after the man she identified as Martin left a nearby house he was helping build to get a drink at her place.

Police said he then took her to the second floor bedroom where he assaulted her. They said the woman had been "afraid of her life."

Police detectives had traced Martin to Arlington after owners of the nearby cottage on which he had been working identified him from the woman's description.

Martin's Arlington bond was set at $1000 following a hearing in Arlington County Court. The hearing was continued until May 18 to allow him to get a lawyer.

In Fairfax, Martin's bond was set at $10,000. Bearse was held by Arlington as a material witness. Both men were held in Fairfax Jail for Arlington officials. The Arlington jail is being torn down.

Hyattsville Man Arrested In Rape Case

A 44-year-old Hyattsville man was arrested yesterday and charged with raping a 16-year-old girl.

The man, identified as Curry Joseph Carter, 4525 Buchanan st. was arrested by Hyattsville Policemen William A. Duvall, jr., and Elmer Thompson about 4 a. m. near the Baltimore and Ohio Railroad Station in Hyattsville. With him in his car was the girl, they said.

A lookout had been broadcast for Carter, a Railway Express man, about 1 a. m. when the girl's mother reported she had not returned home.

Two other girls, 15 and 11, had told the mother that Carter had picked up all three in his car about 9:30 p. m., but had let the two younger girls out after driving to Bladensburg and purchasing a bottle of whisky, police said. All three girls are neighbors of the accused man.

The alleged victim told police she had been assaulted four times earlier while the automobile was parked near the Washington Suburban Sanitary Commission pumping station on Tanglewood dr., just off Baltimore ave. at the southern edge of Hyattsville.

Carter is being held in the Hyattsville jail without bond pending a hearing Thursday.

Couple Held For Assault, Admit Fake Rape Story

Chicago Engineer Says Young Woman Lured Him to Park, Then Man Beat Him

A teen-age newlywed and his young wife were charged with assault and attempted robbery last night after they had first reported an attempted rape of the young woman in Fort Dupont Park.

Park Police detectives, after grilling the couple for several hours, announced last night that each had signed statements in which they admitted the rape story was false. They also admitted their victim had been lured to the park with a view to robbing him, police said.

The couple, Paul Hockman, 19, and Phyllis, 18, of 124 C st. ne., earlier had told a tale of attempted ravishment of the girl and her heroic defense by the husband.

Drove to Park, They Said

They had asserted they drove to the park at Pennsylvania ave. and 38th st. se., shortly after Saturday midnight to cool off.

They said Hockman left his pretty wife lying on the grass while he went for a drink of water at a fountain about 80 feet away.

They reported that a white man attempted to rape Mrs. Hockman. Her husband, the story went on, heard sounds of the scuffle as he was bending over the fountain and came running back to subdue the assailant with his fists and blows from a toy pistol left in his car by a young niece earlier in the day.

Acting on information supplied by Hockman that the alleged rapist might have been badly hurt in the fight, police began a check of all hospitals.

Engineer Disputes Story

Picking up a lead at Emergency Hospital, police picked up a 42-year-old Chicago engineer staying at the Statler.

His story was totally different from the one told by the Hockmans.

The engineer told police he had struck up a chance acquaintance with Mrs. Hockman in the 1400 block of F st. nw. late Saturday night. He said they had "a few drinks" and that she suggested a romantic interlude in the cool greenery of Ft. Dupont Park.

He said they took a cab to the park and that she led him to a spot lush with shrubbery.

At this point, he said, Hockman and two soldiers leaped from ambush with Hockman wielding a gun. A struggle ensued, the Chicagoan declared.

Finally, he said, he broke away, ran to a cab and was taken to Emergency Hospital for treatment of scratches and bruises.

Engineer in Lineup

Park Police put the engineer in a lineup with five other men. The Hockmans were asked to pick out the alleged rapist.

But Mr. and Mrs. Hockman declared that their assailant was not included in the men they viewed.

Here, the Chicagoan stepped from the line and pointing to the Hockmans asserted "those are the people."

A grilling of the Hockmans followed, police said, which resulted in the signed statements.

Only one of the soldiers, both of whom were said to be stationed at Ft. McNair, was picked up. He had not been charged at a late hour last night.

Park Police Detectives who participated in the investigation were: Porter Beale, William W. Gunter, Charles A. Mellott and Raymond Bartness.

1651 Case Cited

Court Rules Rape of Wife Is Possible

Leeds, England, July 14 (U.P.).—A court ruled today that within certain limits it is possible for a man to rape his wife, thus upholding a decision last handed down 318 years ago.

Edward Clarke, 34, is on trial for allegedly raping his wife when he met her in a country lane several days after a legal separation had been granted her. Defense and prosecution attorneys cited legal authorities dating back as far as the Norman conquest of Britain in 1066 in arguing the case.

Clarke's attorney asked that the charge be dropped on grounds that it would take a special act of Parliament to indict a man for raping his wife as long as their marriage existed.

But the judge, citing a case in 1651 where a man was sentenced to death for raping his wife, said the separation order acted as protection for the wife's person and property and thus she could not be forced to have sexual relations without her consent.

Under ordinary circumstances, however, he added, a husband could not be guilty of raping his wife because the act of marriage implied consent. The seperation order made the difference, he said and ordered Clarke's trial to proceed.

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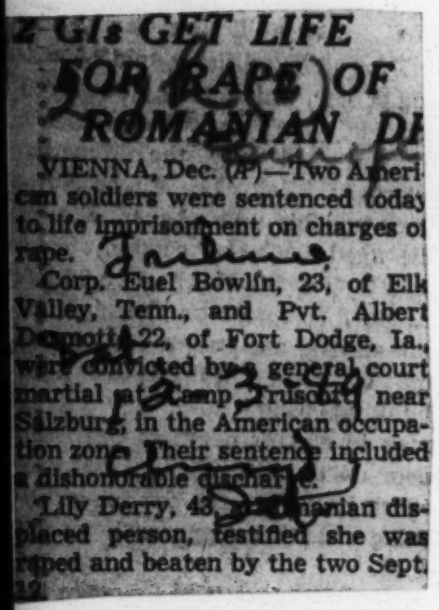

2 GIs GET LIFE FOR RAPE OF ROMANIAN DI

VIENNA, Dec. (AP)—Two American soldiers were sentenced today to life imprisonment on charges of rape.

Corp. Euel Bowlin, 23, of Elk Valley, Tenn., and Pvt. Albert Dermott, 22, of Fort Dodge, Ia., were convicted by a general court martial at Camp Truscott near Salzburg, in the American occupation zone. Their sentence included a dishonorable discharge.

Lily Derry, 43, Rumanian displaced person, testified she was raped and beaten by the two Sept. 19.

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ITALIAN DUMP CART DRIVER HELD FOR RAPE OF YOUNG NEGRO GIRL

Attack Made in Broad Daylight; Victim Found Later by White Motorist

PARENTS THOUGHT SHE WAS EMPLOYED ON JOB

(By James B. LaFourche)

NEW ORLEANS, La. — (ANP) — Steve Cangilosi, an Italian dumpcart driver, 36, married and the father of four children is being held in the parish prison here for the rape of a 12-year-old Negro school girl whom he attacked in broad daylight on the outskirts of the city last week. Bond was set at $5000. The charge is carnal knowledge.

The attacker, said to have recently beat a charge of kidnaping, drove the child victim to the scene of the criminal assault in his truck. He later abandoned the girl who, was picked up by a white motorist and taken to the police precinct station.

The victim, unusually intelligent for her age, furnished the police with a good description of her attacker and the truck in which she had been ferried away. The child's parents also aided in giving information which resulted in locating the truck in an adjacent parish.

Detectives of the juvenile division sped to the supposed residence of the rapist, carrying with them the little girl who, identified the truck and Cangilosi. The latter when apprehended was in the act of painting the truck green. Its previous color red, was the one clue which led to its detection. When challenged by the arresting officers he kissed the ground and vigorously denied the accusation.

The wife of the attacker told the officers that her husband was home at the time the girl said the assault took place. A cousin of the man likewise stated that Cangilosi did not leave the house.

However, six Negro witnesses who were not afraid to talk told the officers that Cangilosi was positively the man who they had seen lurking in the neighborhood and who later lured away the little girl.

According to the child her attacker stopped her on the street and asked her if she cared to work. The victim replied that she would first have to obtain consent from her parents. He offered her $20 a week.

The father of the child objected to the girl being employed to do heavy labor, but on being assured that his daughter would only wash dishes and sit with the baby he finally consented. Cangilosi also promised to call for the girl in the mornings and bring her back at night.

With the agreement reached the unsuspecting victim hopped into the bed of the dumpcart and was taken to an exclusive outskirt residential section of the city, about eight miles from her home and ordered her out of the truck. The child refused to leave the seat, after several threats, her abductor pulled her out, threw her on the ground and made her undress. Upon finishing his fiendish act he drove away, leaving her "standing alone crying."

Personal belongings of the girl were found by officers when led to the scene of the attack. Arresting officers said that but for the intelligence displayed by the victim they doubt if they could have located the attacker.

Waitress Charges Attempted Rape

TAMPA, Fla. — A comely waitress, employed at the Cotton Club, Central Avenue at Emory Street, Tampa, last week complained to the Tampa police that a white window decorator attempted to rape her on Aug. 18.

The white man was questioned by two Tampa Negro police officers, James (Johnnielee) Adams and Samuel (Skin) Brazelton. They called white detectives who arrested the man. The suspect was released after investigation on $200 bond, it was reported.

Man Jailed, Fined For Molesting Florida Waitress

TAMPA, Fla. — (ANP) — A white interior decorator was sentenced to 30 days in jail and $150 fine last week for attempting to force his attention on a Negro waitress at the Cotton club here about two weeks ago.

The guilty man was Arthur Gayle who the waitress, Miss Gloria Washington, charged eyed and commented on different parts of her body then chased her with a hammer. Gayle was finally convicted after several attempts to bring him to trial failed for some reason or another.

In the meantime Miss Washington has been dismissed from her job for inefficiency, according to Henry Joyner, proprietor. He explained to a citizen's committee that she did not lose her job because she pressed charges against the decorator.

Negro On Jury In Rape Trial

SARASOTA, Fla.—The first Negro to sit on a jury in a Sarasota county rape case was Henry Newton, a laborer, who helped convict a white man of having a partly paralyzed white woman.

The jury, which recommended mercy for James Melvin Dent, 40, permitting a sentence of one year to life instead of the electric chair, took [illegible] to return a verdict.

Circuit Judge W. [illegible] Harrison did not announce when he would sentence Dent.

Trio Charged With Rape To Be Defended By NAACP

RAIFORD, Fla. — Assistant Special Counsel Franklin H. Williams of the National Association for the Advancement of Colored People announced on Aug. 3 on his return from an on-the-spot investigation of violence and race rioting in the Groveland, Fla., area, that the three young men charged with attacking Mrs. Willie Padgett of Groveland have retained the NAACP to handle their defense.

Retainers have been signed by Samuel Shepherd, Walter Lee Irving, and Charles Greenlee, the prisoners; Henry Shepherd and Charlie Mae Shepherd, parents of Samuel; and Mrs. Delia Irvin, Walter's mother.

Citing evidence that has convinced him that the three youths are "entirely innocent" of the charges against them, Mr. Williams charged that all three were "brutally and inhumanly" beaten by police and civilians in the jail at Tavares before being transported to the state penitentiary at Raiford.

ORAL CONFESSION

Shepherd, 22, and Greenlee, 16, confessed orally only after being lashed with rubber hose, fists and billy, but Irvin, although beaten into unconsciousness, has at no time said he had anything to do with the crime. None of them has signed a confession.

"Although more than two weeks have passed since the boys were arrested," Mr. Williams said, "the lash scars on their bodies and cuts on their heads made by these beatings are still clearly visible. They have severe cuts on their wrists, inflicted when they were hung with handcuffs from a pipe to coerce them into making a confession. The sole of Greenlee's left foot was cut with glass, and Shepherd has three broken teeth and possibly a fractured jaw."

The NAACP attorney further indicated that the boys had not been supplied with prison clothing and were, at the time of his interview with them, still wearing "the same dirty clothing blood-stained from the beatings" in which they were attired when they were arrested. No doctor has seen them and no X-ray has been taken of Shepherd's jaw.

CHARGED WITH RAPE

Signed affidavits by the prisoners assert that Shepherd and Irvin, who are friends, had never seen Greenlee before, being thrown into jail with him. Greenlee, who hails from Santafe, Fla., was picked up for vagrancy and later charged with the rape when Mrs. Padgett allered that "four Negroes" had attacked her.

Testimony given in an affidavit by Samuel Shepherd pointed out that anti-Negro feeling had been growing in the county because of the apparent prosperity of some Negro families. Numerous threats had been made against Shepherd and his family, and white neighbors had allowed their cattle to roam through Shepherd's property to destroy his crops. Resentment was mounting among whites because Negroes had refused to work at harvesting crops at starvation wages.

Men Lashed To Gain Rape Confessions, Lawyer Says

RAIFORD, Fla. — Evidence has been uncovered leading to the conclusion that the police employed brutal and inhuman methods to extort confessions from the three Negro prisoners held for alleged rape upon a white woman at Groveland, Fla., according to Franklin H. Williams, assistant special NAACP counsel.

On his return from an on-the-spot investigation of violence and rioting in the Groveland area, Mr. Williams announced that the three young men charged with the attack upon Mrs. Willie Padgett have retained the NAACP to handle their defense.

Retainers have been signed by Samuel Shepherd, Walter Lee Irvin, and Charles Greenlee, the prisoners, Henry Shepherd and Charlie Mae Shepherd, parents of Samuel; and Mrs. Delia Irvin, Walter's mother.

Citing evidence that has convinced him that the three youths are "entirely innocent" of the charges against them, Mr. Williams charged that all three were "brutally and inhumanly" beaten by police and civilians in the jail at Tavares before being transported to the state penitentiary at Raiford. Shepherd, 22, and Greenlee, 16, confessed orally only after being lashed with rubber hoses, fists and guns, but Irvin, although beaten into unconsciousness, has at no time said he had anything to do with the crime. None of them has signed a confession.

BODIES MUTILATED

"Although more than two weeks have passed since the boys were arrested," Mr. Williams said, "the jail scars on their bodies and cuts on their heads made by these beatings are still clearly visible. They have severe cuts on their wrists, inflicted when they were hung with handcuffs from a rope to coerce them into making a confession. The sole of Greenlee's left foot was cut with glass, and Shepherd has three broken teeth and possibly a fractured jaw."

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GROVELAND TRIO

GROWING ANTI-NEGRO SENTIMENT

Testimony given in an affidavit by Samuel Shepherd pointed out that anti-Negro feeling had been growing in the county because of the apparent prosperity of some Negro families. Numerous threats had been made against Shepherd and his family, and white neighbors had allowed their cattle to roam through Shepherd's property to destroy his crops. Resentment was mounting among whites because Negroes had refused to work at harvesting crops at starvation wages.

Mr. Williams indicated that rioting had subsided in the Groveland area, although scores of automobiles with out-of-county license plates are still seen in the vicinity. Clippings from the Orlando Morning Sentinel and other local papers reflect the spirit of vengeance still flaring to terrorize Negroes in the community.

NAACP TO GO ALL-OUT IN DEFENSE

The NAACP announced that as a result of investigations by its local branches, the state conference of branches, and Mr. Williams they are convinced that the "trumped-up rape charge," the burning of Negro property, the open participation of the Ku Klux Klan, and the continued intimidation of Negroes in the area is "all part of one great plot to intimidate the Negroes in the community to force them to work for little or no wages and to stop them from being so 'uppity.'"

"For these reasons," stated Mr. Williams and NAACP Special Counsel Thurgood Marshall, "the resources of the association will be thrown behind the defense of these boys and at the same time we will insist upon protection of other Negroes in the area."

John P. Ellis, president of the Orlando branch of the NAACP, and Harry T. Moore, executive secretary of the Florida State Conference of NAACP branches, have announced that a mass protest meeting will be held in Orlando on Sunday, August 14.

White Rapist Of Girl, 8, Goes To Pen

LIVE OAK, Fla.—A white man who raped a little 8-year-old girl escaped last week with a sentence of 20 years in prison under the South's dual standard of justice.

Circuit Judge R. H. Rowe Monday fixed the 20-year penalty on a charge of assault with intent to rape in the case of S. M. Mapel, 48-year-old liquid gas dealer, married and the father of several children.

Despite evidence that Mapel actually raped the child, an all-white jury deliberated 30 hours before agreeing to convict the white man.

Mapel was originally indicted on a rape charge last October by a special grand jury, but an all-white jury later failed to convict him and a mistrial was declared on November 1.

A motion for a new trial made Monday by his attorney, William R. Slaughter, was overruled by Judge Rowe.

Finally Convicted of Assaulting Girl, 8, But:

If He Had Only Been a Negro . . . !

LIVE OAK, Fla.—In his second trial for the same offense, S. M. Mapel, 50-year-old white gas appliance dealer, was convicted by an all-white jury here last week of allegedly assaulting, with intent to rape, an eight-year-old Negro girl here last October.

The conviction carries a maximum penalty of twenty years in the penitentiary.

At the first trial a few days ago, the jurors failed to agree, and a new trial was ordered. The verdict for conviction came after the jury had deliberated for thirty hours and brought in a verdict of a lesser charge instead of the one of rape, with which Maple was also charged.

• • •

TWO DOCTORS testified that the girl was raped, and the girl testified that she was attacked by Maple, who denied the charges with the explanation that he had taken the child for a ride to have her show him where a man lived.

The trial of Maple was attended with much bitterness by both white and colored groups of this small community, and they wanted a conviction. Negro witnesses testified against the defendant, who is a very prominent member of the community. After his arrest he was kept in custody until the jury trials, in spite of efforts of his attorney to get him out on bond. State's Atty. A. K. Black vigorously opposed bond. At press time last week, Maple had not yet been sentenced by the presiding judge.

GIRL UNDER GUARD

Neighbors of the child have informed The Courier that she was kept under guard twenty-four hours a day while the trial was pending, and therefore no outsider was allowed to see her.

Given 3 Years On Rape Charge

JACKSONVILLE—An all-white jury deliberated approximately one hour and returned a verdict of guilty against Earl Griffin, white truck driver charged with assaulting a 16-year-old Negro girl with intent to commit rape.

According to testimony the alleged assault was committed last May after the truck driver induced the ninth grade student to get into his car, under the pretext of taking her to his home to get a job.

The trial was held in Criminal Court presided over by Judge Edwin L. Jones, with assistant County Solicitor Wm. T. Harvey, prosecuting. Atty. Robert W. Gray, promising young Negroy attorney

7978

Court Dismisses Rape Charge

A rape charge was dismissed yesterday in District Court against Ansel G. Turner, 33, a cab driver of [illegible] O st. nw. Turner had been charged with assaulting a 36-year-old divorcee in his taxi in Rock Creek Park.

Landlord, 71, Charged With Rape Attempt

Richmond, Va., Feb. 1.—A 71-year-old Richmond landlord was charged today with the attempted rape of the 23-month-old daughter of his tenant, police repored.

They listed the man as James W. Culbertson. Police said the alleged attempt occurred while the girl's mother was in a hospital awaiting the birth of another child.

Drew Pearson Changes Mind; Criticizes City

Dickens Blames James; Mayor Joins In Blast Against Broadcaster

Although once satisfied with Montgomery justice, Drew Pearson apparently isn't any more.

The Washington broadcaster-columnist told a Montgomery audience of 150 here Saturday that an investigation through "good sources" led him to believe the South has nothing to be "ashamed of" in the city's handling of a Negro woman's rape charges against two policemen.

Sunday, broadcasting from Atlanta, Pearson said that he'd become convinced Mayor John L. Goodwyn should look further into the case and was critical of the way it has been handled.

Twin Blast

This brought a double-barreled blast from the mayor and Champ Pickens, general manager the the Blue and Gray Association, who was Pearson's host on his Saturday visit here.

Pickens wrote Pearson that "the information that you refer to could have come from no other source but Mr. Red James."

(The James to whom Pickens referred is Erwin James, brother of City Commissioner Earl James. Pickens said that "if there is anything 'that Earl James has "not done to wreck Goodwyn's administration, I am not aware of it." Red James accompanied Pearson to the airport upon his departure, Pickens told newsmen.)

Not Discussed

Goodwyn retorted to Pearson's broadcast and a Sunday telegram by telling him that "you did not discuss this case with me while in Montgomery" and that all details would go to the Montgomery county grand jury convening May 16.

The mayor also added that a personal and thorough investigation "convinced me that the charges were not founded on fact," but that he still turned over all data to Solicitor Temple Seibles for presentation to the grand jury.

(Seibles, after an investigation, concurred in Goodwyn's findings, but said the case still would be presented to the grand jury for a complete study.)

The Advertiser wired Pearson and the American Broadcasting Company, for a transcript of his Atlanta broadcast, which brought some calls of indignation here, but received a reply from neither. A 9 p.m. phone call to Pearson's Washington office brought the reply: "We're closed up here. Maybe we can give it to you tomorrow morning. WPAX, local ABC outlet, said it made no transcription of the broadcast, and ABC said in New York that only John T. Mattigan, national news edition could release anything and he wouldn't be available until 11 a.m. today. Pearson's Sunday wire, which reached the mayor after the columnist's broadcast, follows:

"Too Hasty"

"I dislike exceedingly raising unpleasant issues after such a fine visit with you and our mutual friends. However, subsequent information received by me indicates that I was too hasty in exonerating Montgomery police regarding the (Gertrude) Perkins case. May I ask why Perkins woman has not been permitted to see lineup of police officers and whether this will be permitted. Best wishes and thanks."

Pickens invited Pearson to inquire regarding Mayor Goodwyn's honesty and integrity from "anyone really worthwhile in Montgomery, not cheap politicians."

Excerpts from the mayor's letter in answer to Pearson's telegram, follow:

"My first knowledge of your telegram with reference to the Perkins case was when it was delivered to me about 6 p.m. Sunday. I immediately acknowledged its receipt, advising that I would write you today. The delay in receiving your telegram was not due to any lack of effort on the part of the telegraph company, but to the fact that I was not available to receive it.

"There is nothing mysterious about the procedure in the Perkins case. Since you did not discuss this case with me while in Montgomery it might be well to relate what steps have been taken. When the charges were first made I caused an immediate investigation to be made. The result of this investigation convinced me that the charges were not founded on fact, and consequently I took no disciplinary action against any police officer. I then promptly reported the entire matter, together with all the facts at my disposal to the Circuit Solicitor of Montgomery County, Alabama, who corresponds to the District Attorney in other states, and assured him that all facilities of the city would be available to him in further investigation and in connection with any action which he or the Montgomery County Grand Jury, which meets May 16, might choose to take. I have been advised by the Solicitor that he will present the Perkins case to the Grand Jury.

"Aside from other considerations, in my opinion, based on what I consider to be competent legal advice, it is beyond my legal authority to require a line-up of the Police Department for such a purpose. This would invade the constitutional rights of members of the Police Department as individuals. The Grand Jury will be informed as to the whereabouts and activities of all officers on duty who could possibly have committed the charged offense."

Steel Worker Held As Girl Charges Assault

GADSDEN, Ala., May 25.—Harold Ervin Conner, a 22-year-old Attalla steel worker, was held in city jail today on charges of rape on the complaint of an 18-year-old Gadsden girl.

The girl, being treated in a Gadsden hospital, said she was criminally assaulted Wednesday night in an automobile on a lonely road atop Lookout Mountain.

Conner was taken into custody last night by city detectives.

Escort Slain, Girl Attacked

FARIBAULT, Minn.—(U.P.)—A 17-year-old girl told how a stranger opened the door of the stalled auto she occupied in a lover's lane, shot her young companion to death without warning and raped her.

The body of the girl's escort, Fred Morsching, 19, was slumped in the car, punctured by three bullets in the head, chest and thigh.

Young Mother Raped, Murdered In Tavern

Police Report Man's Confession

Morrison, Iowa, June 23.—A pretty, young mother was found slain and fiendishly mutilated early today, and a search was started tonight for a man who authorities said confessed the crime to his mother.

The body of Mrs. Irma Jean Stahlhut, 22, was found inside a big walk-in refrigerator in the tavern she and her husband operated here. The killer had raped her, cut off her breasts, slit her throat from ear to ear, stabbed her twice in the heart, and, the sheriff said, cut her open "down the middle."

About 12 hours after the discovery of the body, the State Highway Patrol radio broadcast a pickup alarm for Edward J. "Buddy" Beckwith, 27, Morrison. The patrol said a first-degree-murder warrant was being issued.

Believed Suicide Intended.

Sheriff John A. Meyer said Beckwith had told his widowed mother, Mrs. E. M. Beckwith, that he committed the slaying. The sheriff said Beckwith left the mother's home at 1 a.m. after telling her, "I'm taking off and you'll never see me again."

Meyer and State Agent Max Studer said they interpreted this remark to mean he intended to commit suicide.

Sleeping Infant Unharmed.

Patrons of the Stahlhut tavern said Beckwith was there when they left the place at 11:40 o'clock last night, shortly before it closed.

Mrs. Stahlhut's husband, Harvey, 27, found his wife's body lying amid overturned beer cases on the floor of the tavern's ice-box.

The sheriff said the killer apparently had forced Mrs. Stahlhut into the cooler at about midnight closing time and attacked her with a "very sharp and pointed knife."

Mrs. Stahlhut's 13-month-old son lay asleep in the family's living quarters adjoining the tavern. He was not harmed.

Awaited Wife's Return.

The sheriff said patrons in the tavern told him everything was normal and no strangers were in the place. Mrs. Stahlhut, who had been married and divorced before her marriage in 1947 to Stahlhut, was operating the tavern alone in her husband's absence.

The husband told the sheriff he returned from nearby Dike, Iowa, at 12:25 a.m. after operating a refreshment stand there during a civic celebration.

The husband said he found the tavern dark and its front door locked. He told officers he walked through the tavern and into their living quarters, where their baby lay sleeping.

He said the day's tavern receipts were intact and he assumed his wife had stepped out to visit a neighbor. The husband said he dozed off while awaiting his wife's return, and was awakened at 3:45 a.m. by the barking of a dog. He then investigated, found his wife's body, and called authorities.

Morrison, a hamlet of 150, is 25 miles southwest of Waterloo in north-central Iowa.

Associated Press Wirephoto.

MRS. HARVEY STAHLHUT
Body found in icebox.

Atlantan's Wife Assaulted By Three Macon Teen-Agers

MACON, (AP)—Three teen age Macon youths were jailed yesterday on charges of criminal assault and robbery by force.

Chief Deputy Sheriff J. P. [illegible] and his wife Thursday night. The Massey said the youths were ar[illegible] deputy said the man told him the youths held him at pistol point [illegible] the Army with.

Free Two Cops Who Raped Negro Woman

The Worker - Sun 5-29-49 27 n.(2)

N.Y. N.Y.

MONTGOMERY, Ala.—Equal justice for all citizens was again thwarted in Alabama when a Montgomery county grand jury refused to return an indictment against two Montgomery policemen. The policemen are charged with rape of Miss Gertrude Perkins, a Negro woman of 25.

The jury's prejudice was clear when it said that Miss Perkins' testimony and that of her friend, George Davis, "was full of discrepancies and what looked like to us manufactured lies." The prejudice of the jury also stood out clearly when they called Miss Perkins, "the Perkins woman."

Justice was refused Miss Perkins at every turn in her case. At the very start the city mayor had refused to allow her lawyers to see the police records so they might determine who the policemen in question were. He also refused a line-up of Montgomery police so Miss Perkins might try to identify her alleged attackers. When her attorneys tried to get Judge Eugene Carter to issue writs of Mandamus to order Montgomery county sheriff to serve John Doe warrants and to order the mayor to release police department records their petition was denied.

The prejudiced grand jury lashed out at radicals and Communists who might be teaching in public schools of the county. Ironically the grand jury said the radicals "seek to undermine the principles of good democracy laid down by our forefathers."

While the daily press here did not give full coverage to the case a weekly, **The Montgomery Examiner** did report it fully. The grand jury lambasted the Examiner by saying that "the publicity given this case has not been helpful to racial relations in our city."

The grand jury gave itself a clean bill of health by characterizing its members as "men prominently identified with the different churches in our city and county."

Supreme Court Denies Woman Award in Potomac Rape Case

The Post 27 n.(2)
Washington D.C.

By The Associated Press

The Supreme Court yesterday ordered retried a damage suit growing out of the rape of a woman passenger aboard a Government-owned vessel in the Potomac River. June 6-28-49

The decision involves awards totaling $56,000 made by the U. S. District Court at Richmond. That court had held the company operating the ship for the Government was a common carrier. The high tribunal ruled it was not.

But it said the firm—Dichmann, Wright and Pugh, Inc.—might be liable for negligence in hiring unsuitable crew members.

Justice Reed for the five-man majority specifically refrained from expressing an opinion as to what circumstances might fix liability upon the company for alleged negligence. Justice Black, Douglas, Murphy and Rutledge disagreed with the majority, without stating their position.

Dichmann, Wright and Pugh, Inc., acting as general agent for the steamship Meteor during World War II. The vessel operated between Norfolk and Washington.

The cook, Jack Lester Barnes, crawled through a window to enter the stateroom of Mrs. Lillian A. Weade and Mrs. Roberta L. Stinemeyer. He raped Mrs. Weade and threatened Mrs. Stinemeyer. The attack occured on the night of August 3, 1945. Barnes later was executed by the State of Maryland for the attack. R 18

A jury in U. S. District Court in Norfolk awarded Mrs. Weade $50,000, her husband $1000, and Mrs. Stenemeyer $500. The U. S. Circuit Court in Richmond threw out the awards, however, on the ground that the general agent was not liable to pasengers. Mr. and Mrs. Weade and Mrs. Stinemeyer then appealed to the Supreme Court to reinstate the award.

The high court refused to do so but also held the Circuit Court erred in throwing it out entirely.

Three Youths Held On Rape Charges

27 n.(2) The Post Washington D.C.

Three nearby Maryland youths yesterday were held for Prince Georges County grand jury action on rape charges involving two Hyattsville girls, 12 and 15 years old.

Bound over were Robert H. King, 20, of 3700 Upshur st., Brentwood; James E. Largent, 21, of 4108 33rd st., Mt. Rainier, and Carl M. Caudell, 19, of 5028 Geranimo st., Berwyn. Caudell waived preliminary hearing.

Girl Tells of Threat

In Hyattsville Police Court, King and Largent denied having relations with the younger girl, but admitted trying to have intercourse with the older girl. Both said they were unsuccessful, despite the fact she gave her consent.

The 15-year-old girl told the court she submitted to the boys' advances, after they threatened to leave her alone on a secluded road, where their automobile was parked. Jun. 7-1-49

Juvenile Court Investigating

The younger girl said she was not molested by either of the two boys present at yesterday's hearing. She said, however, she was attacked by a third youth.

Prince Georges' authorities are holding another boy, a juvenile, in connection with the alleged attack. His case, is being investigated by the Juvenile Court.

Case of Accused Rapist Continued

Washington Post 27 n.(2)

The case of Charles H. Tapp, 18, accused of raping a 25-year-old woman in his Arlington apartment yesterday was continued until July 12 in Arlington County Court. June 28-49

Police said the woman complained she was assaulted last Saturday night in Tapp's apartment, 1302 Lee hwy.

According to her complaint, Tapp met her in a Washington drug store where she is employed and invited her to his apartment to meet his family.

When they arrived at the apartment no one was there, the girl said, and Tapp raped her. She then ran from the apartment, she related, boarded a streetcar at Rosslyn Circle, and was advised by the operator to get in touch with Arlington Police.

Police took her to Arlington Hospital where she was examined. According to police, she had been raped.

Wounded Youth, Fiancee Slay Masked Man, Sonny Leaped at Him...

Chattanooga Times 6-25-49

LOS ANGELES—(AP)—A heroic high school girl who seized it and beat the man on the head a couple of times. Sonny, who and wobbly, said: 'Give me the gun, honey,' and he shot the man four times. "I helped Sonny to the car and although I never had driven before. I managed to drive away. I Somehow, I reached and someone called They found in the that indicates

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Maconite Gives Up In Assault Case

Constitution Staff News Service

MACON—A powerfully built 200-pounder, A. C. Bailey, accused of criminally assaulting a Macon woman three times in one afternoon, surrendered yesterday, Bibb County Sheriff E. Julian Peacock reported, after an extensive manhunt.

Sheriff Peacock said Bailey was lodged in the Bibb County jail on two counts, one charging criminal assault and the other assault with intent to murder. He is held without bond.

Bailey surrendered at Jeffersonville to Twiggs County Sheriff Earl Hamrick who turned the Macon man over to authorities here, Sheriff Peacock said.

Peacock added that Bailey made no statement concerning the charges.

Sheriff Peacock said the woman claimed the attacks occurred after she was drugged and in an unconscious or semi-conscious condition for nearly 20 hours.

Bailey is well-known throughout Bibb County as manager of the Bailey Transfer Company of Macon.

Sol. Gen. Charles H. Garrett said in addition to the woman's assault charge, Bailey is scheduled to face trial in February on charges of assault with intent to murder a Macon man with a knife during an argument. Bailey was out on $2,000 bond.

Columbus Jails 2 On Girl's Charge Of Assault

COLUMBUS — (AP) — Muscogee County Police Chief J. Harvey Davidson said last night he is holding two Phenix City, Ala., teen-agers in connection with the criminal assault of a 17-year-old Phenix City girl.

He identified the pair as Kra[illegible] Shaw, 19, and Clifford Turner, 18. Chief Davidson said the girl told police the two took her from a high school club dance in Phenix City Saturday night to "go get a chocolate milk."

Instead, she said they drove her to Muscogee County where Shaw assaulted her as Turner drove the automobile, the chief said.

According to Chief Davidson, the girl had known both youths

several years.

They are being held without bond in Muscogee County Jail.

Maconite Is Accused Of Criminal Assault

Constitution State News Service

MACON—A statewide alert was sent out last night for a well-known Macon businessman who has served time for manslaughter and who yesterday was accused of criminally assaulting a 31-year-old woman three times in one afternoon, Bibb County Sheriff E. Julian Peacock reported.

The Sheriff listed the man as A. C. Bailey, 41, manager of the Bailey Transfer Company in Macon.

Bailey has been the object of one of the most extensive manhunts in the county's history since the woman filed charges of criminal assault, the Sheriff added.

Sheriff Peacock said the woman charged the attack occurred after she was drugged and in an unconscious, or semi-conscious condition for nearly 20 hours.

Publication of the charges was withheld by the press and radio stations, the Sheriff revealed, at his request, after the red-haired transfer company executive called his former wife, Mrs. Louise Bailey, and instructed her to tell authorities he would surrender yesterday. The Sheriff said late last night the man had not surrendered.

Sheriff Peacock said the woman who preferred the assault charges made this statement to him regarding the alleged attack:

"She had a drink with Bailey Saturday afternoon, she said, and he offered to drive her home. The woman said she refused and drove to a local drive-in. Bailey followed her there, entered her automobile, and drove off with her, she said.

"The woman said she blacked out and was being assaulted when she regained consciousness. She said she again lost consciousness, and was being attacked when she revived. The first attack she believed to have been committed in Twiggs County, the woman stated, and the second in Jones County.

"She said Bailey then drove her home and she blacked out again, and when she regained her senses she was being assaulted for the third time."

Sol. Gen. Charles H. Garrett said that in addition to the assault charge, Bailey is scheduled to face trial in February on charges of assault with intent to murder a Macon man with a knife during a fight. Bailey was out on $2,000 bond.

Bailey served a year's sentence in Reidsville State Prison on a manslaughter charge in the knife slaying of Clarence McCommons here during an argument nearly two years ago, Sheriff Peacock reported.

The Sheriff added that a man listed as Tom Smith was convicted of perjury in the McCommons case and sentenced to serve two years in prison. The Sheriff described Bailey as a powerfully-built 200-pounder, more than six feet tall, whose career included 18 charges ranging from traffic violations to manslaughter.

The Sheriff said Bailey had been married four times.

Attacks Girl, 6, As Sons Look On

ATLANTA—Fulton police were scheduled to file charges against a white man for an alleged attack on a six-year-old girl before the Fulton County Grand Jury, Monday.

He was identified as Robert Daniel Echols, 30, painter, by Detectives M. H. Williams and O. L. Hughes. He was free on $1,000 bond for attempted criminal assault and $100 bond for assault and battery.

Echols was supposed to have attacked the child in the presence of his two small sons, five and two years of age. One of the boys told of the incident at home. Echols picked the girl up in his car and drove to a cemetery where the attack took place.

Atlanta Radio Worker Accused in Assault Case

A 25-year-old Atlanta radio station employee yesterday was arrested by City Police on a charge of suspicion of criminal assault in connection with an alleged attack on a young woman late Saturday night in a secluded part of Inman Park.

The suspect, listed by police as Jack Fuller, of 956 Euclid Ave., was arrested at his home a few hours after the young woman was brought to Grady Hospital for treatment.

Meanwhile, police launched a search for a 17-year-old high school youth who allegedly attempted a criminal attack upon a woman friend of his hospitalized mother.

According to police, the youth, identified as Bobbie Pennington, of 187 Degress Ave., S. E., attacked the middle-aged woman when she came to his home to take care of his younger brothers and sisters while his mother was in Grady Hospital.

Police said Fuller was accused of assaulting a 25-year-old companion in a lonely section of the city park. According to Det. Sgt. L. T. Bullard and Dets. J. E. Helms and W. M. Holland, the young woman's clothing was torn, her knees were scratched and she suffered abrasions and bruises of the face and head. She was treated at Grady.

In a signed statement, Fuller admitted having had relations with the young woman Saturday night. He said the young woman accompanied him to the park voluntarily and submitted to his advances. He said he and the young woman had been together for several hours after a chance meeting in a cocktail lounge downtown.

He admitted also, according to the statement, that he struck the woman when she appeared "reluctant" to submit to his advances a second time.

In connection with the other case, Dets. J. M. Peck and J. W. Ellington quoted the woman as saying young Pennington beat her and then attempted to assault her. After fleeing into the street the youth followed her, striking her several times more, she told the officers. She escaped from him and went to a fire station at the corner of Memorial Drive and DeKalb Avenue.

The woman was treated at Grady Hospital for severe bruises and lacerations of the face.

Baby-Sitter 9 Attacked Slain

CHORCHESTER, Mass. (UP)—The body of a 9-year-old baby-sitter was found crammed in a cedar chest in a neighbor's attic last night, and police said a veterans hospital psychiatric patient admitted assaulting and slaying her.

The suspect, who has been under treatment since his discharge from the Army, was seized within two hours after the discovery of the body of little Anna Marie Magnusson.

Police withheld the name of the suspect temporarily, explaining that he had not signed a formal confession or been booked.

Medical examiner John C. Ward said District Attorney Alfred B. Cenedella ordered him not to reveal the cause of the girl's death. Police earlier said she seemed to have been strangled.

Dr. Ward did say autopsy disclosed that the girl had been gagged and her wrists tied together to prevent her from making an outcry or resisting her attacker.

Nurse Charges 2 With Abduction, 3-Count Assault

By KEELER McCARTNEY

Two 25-year-old Henry County men are being held without bond at McDonough in connection with the abduction and three-count assault on an Atlanta hospital nurse, it was revealed last night.

Sol. Gen. Benjamin Garland, of the Flint Judicial Circuit, and Norris C. Broome, Atlanta attorney aiding in the prosecution, identified the two as Jack Floyd, of Stockbridge, and Eugene Odell, of McDonough.

Both were ordered held for grand jury action in Henry County at a commitment hearing in McDonough, Garland said. They were indicted for criminal assault by the Clayton County Grand Jury and the third count in Henry County and the assault was near McDonough.

Broome said the story told by the nurse, who eventually escaped and made her way to a Negro home near McDonough in the early morning hours, was "as gruesome and weird as magazine

Clayton County is included in the Stone Mountain Judicial Circuit, of which Roy Leathers, of Decatur, is Solicitor General.

Each of the men is charged

...tection."

She met Floyd on a "blind date" with a roommate who knew Oglesby, Broome related. He said the four rode out to the night club on Highway 42, but a short time later had to return Oglesby's date because she had to go on duty.

Both men suggested taking Floyd's date on a short ride, the attorney said. They drove back to the highway, where Floyd and Oglesby drank some beer.

When the nurse protested that she must be back at the hospital before midnight, Broome said the two agreed to take her. Instead, he related, they drove to a side road near by where each of them attacked her.

...with the nurse screaming and fighting to get away, he said, the men drove south on Highway 42 to near Stockbridge, where they parked behind another car. Floyd and Oglesby evidently assaulted the occupants of the second auto, he said.

A third auto drove up, Broome continued, and the nurse appealed to several youths in it for help. One of them took up a rifle to come to her aid, the attorney said, but several others held him while Floyd and Oglesby drove away.

After the second incident near Stockbridge, Broome quoted the nurse as saying, Floyd got out of the car and left. She said Oglesby attacked her a third time near McDonough before she managed to break away and flee a half mile to a Negro home.

The Negro escorted her to a white residence and the white family brought her back to Atlanta.

First charges against the two will be brought at the next term of Clayton Superior Court, probably next week.

Attacks Girl 6, As Sons Look On

ATLANTA—Fulton police were scheduled to present charges against a white man for an alleged attack on a six-year-old girl, before the Fulton County Grand Jury, today.

He was identified as Robert Daniel Echols, 30, a painter, by Detectives M. H. Williams and C. L. Hughes. He was held on $1,000 bond for attempted criminal assault and $100 bond for assault and battery.

Echols was supposed to have attacked the child in the presence of his two small sons, five and two years of age. One of them told of the incident at home. Echols picked the girl up in his car and drove to a cemetery where the attack took place.

Woman Charges Assault by '15 or 20' Boys

A 26-year-old Atlanta woman yesterday told police she and a woman companion were criminally assaulted by a group of "15 or 20 boys."

The woman told Ptl. E. C. Carter and A. L. Kraft she, the other woman and a 14-year-old girl had dates with three of the youths. Another car and a truckload of boys followed them to a place on Marietta Road, she related. She said the youths drew knives and forced two of them to disrobe. She added the 14-year-old girl was not molested.

Some time later, she said, she managed to escape and hid in the rest room of a service station.

Man Charged With Attack On Girl, Six

Charges against a white man of attempted assault and assault and battery in connection with an alleged attack upon a six-year-old girl will be presented before the Fulton County Grand Jury today, Fulton police said last night.

Dets. M. H. Williams and C. L. Hughes identified the man as Robert Daniel Echols, 30, of 1279 Hollywood Rd., N. W. Echols, a painter, was released from Fulton Tower under $1,000 bond for attempted assault and $100 for assault and battery pending Grand Jury action.

Williams and Hughes said Echols' two sons—one aged five and the other two—witnessed part of the incident. They added one of them reported the affair at home.

The Negro girl had gone to a store near her home on DeFoor's Ferry Road, Detectives related. They said Echols picked her up in his auto in which his two small sons were riding.

Echols parked near Crest Lawn Cemetery, leaving the boys in the car, and carried the Negro girl to a secluded area inside the cemetery, detectives said. They said the girl ran home to report the incident. She was taken to Grady Hospital for treatment.

Dorsey Resentenced To 'Chair

By ROBERT E. JOHNSON

Andrew Dorsey, 24, was ordered by a Fulton Superior court judge to die in the electric chair Friday, August 19, for raping a 13 year old Negro girl and a 25-year-old Negro woman in January and September, 1947.

Judge Virlyn B. Moore, presiding in the Supreme Court, Atlanta Judicial Circuit, ordered the sheriff of Fulton County yesterday to take the convicted man to Georgia State prison in Tatnall county and deliver him to prison warden for electrocution Friday between 10 a. m. and 2 p. m.

Dorsey was convicted by a trial jury that had only a short deliberation before returning a verdict of guilty. The penalty was fixed at death by electrocution and the prisoner was ordered to die in the chair December 9, 1947.

EXECUTION STAYED

The 24-year-old Atlantan missed being executed when the death sentence was stayed by a motion for a new trial which was appealed to the Supreme Court of Georgia. The State's high tribunal affirmed the verdict of the lower court October 22, 1948. Dorsey was re-sentenced to die December 3, 1948.

The alleged rapist was saved from the chair a second time by the governor of Georgia who granted him a stay of execution during which the defendant filed application for commutation of the death sentence to life imprisonment. The application was denied by the State Board of Pardon and Parole March 18, 1949.

REVIEWS CHARGES

The prisoner, now in custody of the Sheriff of Fulton county, was charged with rape of a 13 year old girl, of an Ami St. address on January 27, 1947. The grand jury returned a true bill of indictment in the case which alleged Dorsey used a pistol to assault the child against her will. In the same bill the Fulton grand jury alleged that Dorsey raped a 23-year-old woman, of a Rawson St. address on September 8, 1947. He was said to have used a knife to force the woman to submit to him after making her crawl under a house on Capitol Ave., where he allegly committed the unlawful act.

Negro Girl Attacked, Near Death

WRENS—(AP)—A 14-year-old Negro high school girl, of Zebina, three miles from here, hovered on the brink of death last night with a crushed skull while her alleged assailant, a life-termer from the penal camp at Louisville, faces charges of attempted assault and possibly murder.

Pete Coleman, white, aged 30, has been arrested by Sheriff James Hubbard of Jefferson County. According to the Sheriff, this man is now serving a life sentence for the hammer murder of a woman in Chatham County in 1947.

The story was unfolded last night by Sheriff Hubbard.

"She was found by Ed Carroll, Negro, at approximately 10 p. m. Monday night, "he reported. "She was brought to Louisville for medical treatment."

Hubbard said he had in his possession as evidence a heavy hammer with a short handle.

"There is no doubt that this is the weapon. Hair and blood on it and have entered it as evidence."

The Sheriff said Capt. S. L. Tingle, in charge of the penal camp, was moving two pieces of equipment to Matthews, early Monday.

"Coleman was driving a road scraper behind Capt. Tingle's vehicle," he said "They passed the spot on the Stellaville-Zebina road at approximately 8 p. m. There are marks where the scraper stopped. When the Captain got to Matthews, he had to wait for a short time for Coleman to catch up. I don't know how long."

The Jefferson County official said the girl was found lying in some brambles and high grass.

Assault Case Waits Lab Test

A State prisoner is being held pending outcome of tests in Fulton County Crime Laboratory in connection with the Dec. 19 assault of a 14-year-old Negro girl near Zebina.

Dr. Herman Jones, of the laboratory, said he is examining blood-stained clothing worn by the girl and clothing worn by Pete Coleman, State prisoner who is being held pending results of the tests.

Dr. C. W. Pilcher, Director of the Jefferson Hospital at Louisville, said the girl has a good chance of recovering.

52-Year-Old Woman Raped Sex Assault

A 21-year-old McDaniel Street youth Wednesday had been bound over to Fulton County Criminal Court under a $2,000 bond in connection with the alleged attempt to rape a 52-year-old woman, police reported.

Police said Calvin Currier, of R-59 McDaniel Street, was booked on a charge of suspicion of assault with intent to rape.

The 52-year-old Chamberlain St. housewife told police that the youth followed her to her back porch bathroom. He then pulled out a knife and threatened to use force in committing a statutory assault upon the elderly woman, police were told.

Police said the woman, having heard the youth make known his intentions, succeeded in talking him out of the notion.

Woman Flees Attacker Here

A 20-year-old Atlanta woman today told police she fought off a would-be attacker after being forced into an automobile at Alabama and Forsyth Streets.

Three men began following her as she left a theater, she told Capt. L. J. Carroll and Ptl. A. J. Davis. She said she went to a bus stop at Alabama and Forsyth Streets and remained under a street light.

A third man drove up in an auto, she related, and told her he would drive her home. She said he opened the auto door and forced her inside.

He drove to a place on Glenwood Avenue, S. E., and attempted to assault her, she said. She fled screaming from the auto. Residents of the area called police.

Ga. White Man Jailed on Charges of Child, 7

ATLANTA (AP)—A 24-year-old white man who attempted to criminally attack a little girl at her home near Utica was arrested Thursday night, it was announced by Deputy Charlie Jones at Raymond. He is Charles R. Wilkerson, a pulpwood hauler for a Utica lumber mill. "It looks like an ugly case against him," Deputy Jones said.

The seven-year-old girl is the daughter of Wilfred Noel, ex-GI and student in a night adult education school. Parents of the child complained to their landowner that the white man was found in the house on Nov. 1 by

Mrs. Noel who passed him in the front doorway. She found the children in the house crying when she entered.

7980

Life-Termer Charged With Highway Crime

LOUISVILLE, Ga.—(SNS)—A 14-year-old orphan, who lived with her grandparents, was reportedly dragged away from a school bus stop Monday, and brutally beaten and criminally attacked by a 30-year-old white convict.

The girl is in a critical condition and late Wednesday still was unconscious in the Jefferson County Hospital at Louisville.

Sheriff James Hubbard of Jefferson County said that Pete Coleman, 30, a life-termer white prisoner at the State Board of Corrections camp here, was charged with the crime.

Authorities said that Coleman apparently stopped his machine when he saw the Negro girl waiting beside the road for a school bus and dragged her into the bushes and assaulted her.

The high school girl, of Zebina, three miles from Wrens, is still hovering between life and death and a staff physician at Jefferson County hospital stated the child's condition "was very critical, but hasn't taken a downward trend."

HAMMER MURDERER

Coleman, who is under arrest in connection with the attack, according to Sheriff Hubbard, is serving a life sentence for the hammer murder of a Chatham County woman in 1947.

The convict was taken into custody after Ed Carrol, found the girl at approximately 10 p. m. Monday night.

Sheriff Hubbard has in his possession as evidence against Coleman a heavy hammer with a short handle.

The Sheriff said "There is no doubt that this is the weapon. I found hair and blood on it, and have entered it as evidence."

An investigation reveals that Coleman was driving a road scraper behind Capt. B. L. Tingle, in charge of the penal camp, into Matthews early Monday.

"Coleman was driving behind Capt Tingle's vehicle," according to Sheriff Hubbard "when they passed the Stallaville-Zebina road at approximately 8 A. M. There are marks where the scraper stopped. When the Captain got to Matthews, he had to wait for a short time for Coleman to catch up. I don't know how long."

APPARENTLY SEIZED

Authorities said that Coleman apparently stopped his machine when he saw the girl waiting beside the road for a school bus and dragged her into the bushes and assaulted her.

Physicians who examined the girl at the hospital said she had been struck on the head with a blunt instrument 20 or 25 times.

The girl was found in the weeds beside the road where she has apparently lain in the weeds unconscious since she was attacked.

Jonesboro Case

Editor Constitution: Please allow me to heartily agree with the letter in The Constitution on Labor Day concerning the prison sentence of the two Henry County men. From the facts published in the paper, my deductive reasoning places the responsibility of this tragedy on the girl involved along with the men. I admit that the men were in the wrong but I do not believe them guilty of rape. Why was this girl out with a married man? Why didn't she get out along with the other girl as she was not supposed to have known these men before that night? Undoubtedly, some one she must have thought them not guilty as one year for a rape charge is mighty light. I'd like to ask a question of all the people that helped convict these men. "Placing your own son or brother in their place, should they be convicted and sent to prison for rape?" If you can answer that question to yourself and still have a clear conscience, then more power to you.

I would like to say that I have no personal interest in this case whatsoever. I could not even tell you the name of the nurse involved nor the names of but one of the men. I only read the details and forgot the names.

Atlanta. JUST INTERESTED.

Idaho Police Hold Suspect In Sex Slaying

Hot-Rod Driver Arrested at Roadblock

Burley, Ida., Nov. 18 (U.P.)—Idaho State police late today picked up a 16-year-old hot-rod driver for questioning in the kidnaping and sex-slaying of Glenda Joyce Brisbois, 7.

Niel Butterfield, 16, former industrial-school inmate from the Emerson farming district just across the Snake River from Glenda Joyce's home town of Burley, was arrested at a roadblock near Hammett, Ida., about 100 miles west of Burley.

Chief of Police W. W. Williams of Burley said an order to pick up Butterfield went out after it was learned he had borrowed a 9-year-old, dark-blue sedan from a Burley used-car lot earlier this week.

A playmate who saw Glenda Joyce enticed into a car before she was raped and thrown beaten, bruised, and cut, into an irrigation ditch where she drowned, said the vehicle was black or dark blue and "not new, but clean."

When he was picked up at Hammett, Butterfield was driving a 1934 Ford hot rod.

Glenda Attacked Before Being Thrown In Canal

BURLEY, Idaho, Nov. 18—(AP)—Blond Glenda Joyce Brisbois was criminally attacked before her body was thrown into an irrigation canal police said last night.

An autopsy revealed the attack on 7-year-old Glenda who rode to her death in a dark blue sedan. The little first grader's body was found yesterday by a friend of the family, 18 hours after she had been kidnapped from near her home.

* * *

CASSIA COUNTY coroner Vern McCulloch, who with Sheriff Sam Clark, reported the autopsy revealing the girl had "definitely" been criminally assaulted, said "we have two or three leads . . . to follow up . . ."

Hope for a quick capture of the girl's kidnapper faded yesterday after two men, one in Idaho and another in Utah, were picked up for investigation but released after questioning.

Alleged Slayer Is Unconcerned

TWIN FALLS, IDAHO, Nov. 19—(AP)—A high school student who said he slugged a 7-year-old girl to death "just to see someone die" ate heartily today in his jail cell.

Neil (Butterfingers) Butterfield, 16, has slept most of the time since the questioning which followed his arrest in the slaying of little Glenda Joyce Brisbois of Burley. He is charged with first degree murder.

The head battered body of the blonde child was found Thursday in an irrigation canal.

"He has eaten heartily both Friday night and Saturday morning and has slept a good part of the time since he was brought here," Deputy Sheriff J. H. Benham said.

"His only request has been for cigarets, which I believe was denied. He seems content to just sit there."

7982

2 Surveyors Save Woman from Rapists

A highway engineer, looking thru the telescope of his surveyor's transit, yesterday saw two men beating and attempting to rape a woman in an automobile at 149th st. and California av., Bremen township. Through his efforts, the woman was freed from her captors and police obtained important clews which may lead to the arrest of the men.

Victim of the beating was Mrs. Leona Bauer, 29, of 1540 S. Trumbull av., mother of three children. She was kidnaped at noon when she left the Victory Manufacturing company, 1722 Arcade pl., where she is employed, to go to a nearby restaurant for lunch.

Seized at Point of Pistol

Near Madison and Paulina sts., she said, one of the men put a pistol against her back and forced her to walk a short distance to where another man sat at the wheel of an auto.

She was compelled to enter the car and the driver started south. At 47th st. and Western av. she said she made an unsuccessful attempt to grab the car's ignition key and the men beat her. The car later was stopped at Halsted and California av. and the men handed her $7 money and keys, Mrs. Bauer said.

They told them that she had no money but little money in her purse, she said, and the driver tore open her blouse and attempted to rape her.

Rescuers Rush to Scene

Meanwhile, a quarter of a mile away, Larry Galateo, 2324 S. Wells st., surveying for highway work, looked thru his telescope and saw the struggle between Mrs. Bauer and one of her captors. Galateo called to James Dumser, 3425 N. Harding av., and Charles Fluen, Negro, of 4858 Praire av., who were working with him, and told them what was happening.

While Dumser and Fluen started toward the car to help the woman, Galateo stayed at his telescope to note what clews he could. Routed by Mrs. Bauer's struggle and the approach of the highway workers, the kidnapers drove away, leaving Mrs. Bauer in the road.

Galateo meanwhile noted that one of the abductors had the words "Logan Cab company" inscribed on the back of his shirt. He noted also that the auto, a blue 1939 model, had the word "Chicago" painted on the rear deck. Because of bushes in the line of vision, Galateo was unable to obtain the license number.

Victim Studies Police Files

Mrs. Bauer was supplied with a jacket to replace her torn blouse and was taken to police headquarters to look at photografs of known criminals. She said she had never seen either of the kidnapers previously.

The kidnaping of Mrs. Bauer occurred near the place where Mrs. Mary LoChirco, 26, of 923 S. Damen av., was slashed to death a few doors from her home late on the night of Oct. 26.

Willard Trulove, 31, Negro, who later admitted to police that he cut her when she resisted his efforts to steal her purse, is awaiting trial in Criminal court on a charge of murder. Mrs. LoChirco was returning home from her job in the All American Plastics company, 2344 Harrison st., when she was slain.

MOTHER RAPED AS 2 CHILDREN SLEEP NEARBY

A young mother was raped in her small apartment in the 900 block of Sheridan rd. early yesterday while her two small children slept nearby.

She described her assailant as a man about 25, with wavy blond hair. The victim, 25, wife of a night worker, was sleeping when the rapist entered the apartment thru an unlocked door. She had left the door unlocked so that her husband could enter without waking the children.

The intruder seized the woman by the throat and threatened to kill her if she screamed. After he left she summoned neighbors. Police took her to the American hospital.

3 HELD TO JURY IN RAPE OF GIRL, 15, DURING RIDE

Three Chicago Heights men yesterday were held to the grand jury in bonds of $5,000 each on charges of raping a 15 year old Blue Island High school girl Oct. 21.

Testimony was given before Justice of the Peace Norman Hamfist in Bedford Park county highway police court that two attacked the girl after they had offered her a ride home from a football game.

The third man, tho he did not assault the girl, was held equally responsible. He is Daniel Kirby, 19, of 25 W. 21st st., Chicago Heights, driver of the car. The others are Raymond Ruggeri, 19, of 2813 Chicago rd., Chicago Heights, and William Warburton, 20, of 2922 Chicago rd., Chicago Heights.

Convicted

George Frost, 34, married and the father of two children, who was found guilty of raping a 13 year old Belvidere, Ill., bobby soxer. He was the first of 10 men to be tried on morals charges involving nine girls 13 to 15 years old. [Associated Press Wirephoto]

ORDER MENTAL TESTS FOR 2 IN RAPE OF GIRL, 13

Psychiatric examinations for Eugene Milarski, 18, of 3441 Scott st., and Bruno Kopacz, 23, of 3150 N. Springfield av., accused of raping a 13 year old girl, were ordered yesterday by Judge Joseph J. Drucker in Boys court. The girl charged Milarski raped her Oct. 8 in Kosciusko park while a 15 year old boy pinned her arms to the ground. She also said she was intimate with Milarski on another occasion after drinking at a party and was intimate with Kopacz on two occasions. Judge Drucker continued the case to Dec. 19.

Foster Is Sued For $100,000 in Rape, Assault Case

CHICAGO, April 7 (AP)—Vince Foster, Omaha, Neb., contender for the world's welterweight championship, today was accused of rape and assault in a $100,000 damage suit filed in circuit court. The suit was filed by Miss Alice Smelta, twenty-three, a Kansas City, Mo., office manager, who contended in her petition that Foster raped and beat her on a highway near St. Joseph, Mo.

The civil suit was filed after Foster was cleared of criminal charges in the same case. Foster is scheduled to box Chuck Taylor, Irish coal miner from Coalport, Pa., in the Chicago Stadium tomorrow night.

Miss Smelta's suit says the alleged rape and assault took place on Grantland Highway near St. Joseph, and that she is pregnant as a result. Criminal charges of rape against Foster were dismissed March 21 in St. Joseph for lack of evidence.

On March 21, Prosecutor O. R. Newcomer, of St. Joseph, asked dismissal of charges of forcible rape against Foster. He said a report by a physician who examined Miss Smelta did not contain evidence that would bring a conviction.

Foster denied any attack. He said he met Miss Smelta while visiting relatives in Kansas City and drove to St. Joseph with her.

Foster, the newest welterweight challenger, is an 8-to-5 favorite in tomorrow night's bout. It will be his first fight since he was cleared of the St. Joseph rape charge.

Foster is slated for a showdown with Charlie Fusari, rated the third leading welterweight contender, in Madison Square Garden, New York City, May 13.

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the Keed made "a good showing" in their Stadium bout. Robinson agreed at the time that Gavilan had made a good showing and, according to Lopez, stated at that time that he'd honor the paper to defend his title against Gavilan.

So, if Robinson doesn't lower the ante so that Gavilan can get 20 per cent; if the fight falls through, and if he signs with some other promotional outfit, he's in for a legal battle.

Away from the verbal bickering, a pair of welterweights will toss leather at the St. Nick tonight, Paddy Young facing off against Nick Mistovich in a ten-rounder. Young has had thirty-seven bouts and seventeen knockouts. He won fifteen by decision, lost three and drew twice. Mistovich, with six knockouts in thirty-three fights, made a good showing against Foster in the Garden several weeks ago.

Find Woman Rape Victim in City Park

A 27 year old woman, the victim of a rapist, was found brutally beaten yesterday in Garfield park, 300 feet from Hamlin av.

The woman, whose left ear was almost severed, was taken to Garfield Park hospital, where she was given a blood transfusion. Dr. Jacob Rosen said she suffered a fractured lower jaw, possible concussion, lacerations of the ear and chin, and shock.

Capt. Peter Annen of the park police said a motorist reported at 5 a.m. that the woman was lying in the park. Police found her and took her to the hospital.

Tells Of Going To Dance

Her torn underclothing and purse were scattered near where she was found. Police pieced together her story from her vague answers to questions.

They said she told them that she went to a dance Sunday night with her mother and a neighbor in the vicinity of Lincoln and Seminary avs. There, she said, she met a man she knew only as Jack.

Jack drove her mother, the neighbor, and her to their home, the victim said, and then invited her to take a ride. She accepted and the couple went to a tavern, the location of which she could not remember.

She said she objected to proposals made by her escort and decided to leave him. She went by herself to an elevated platform at Hamlin av. and Lake st. There she asked a man how to get to the north side.

Stranger Offers To Help

The woman said that this man, who identified himself as "Jack O'Hare," told her that she was on the wrong platform.

"Come with me and I'll show you how to get there," she said the man told her.

Apparently, police said, she went into the park and the assault followed. Capt. Annen said the girl had been struck with some sharp instrument.

SEIZE PROWLER AWAITING TRIAL ON RAPE CHARGE

An accused rapist was arrested early yesterday after he fired a shot as a group of residents in the 3900 block in N. Mobile av. sought to capture him.

Bryce

He is Roland Bryce, 27, of 7913 Robinson rd., Norridge twp. Sgt. Leo Anderson and a squad from Jefferson Park station went to the scene in response to a telephone call from Thomas H. Leonard, 3943 N. Mobile av., who said a man was tampering with a parked automobile there.

When police arrived, Bryce had disappeared. A few minutes later, a group of neighbors saw him in front of 3933 N. Mobile av. As they approached, Bryce fired a shot into the air and fled. The neighbors found a .25 caliber automatic pistol at the spot.

Suspect Is Wounded

Sgt. Anderson and his squad seized Bryce when he returned, apparently in search of the gun. He was bleeding from a wound in the right wrist. Police said that Bryce, who is left handed, apparently wounded himself when he fired the shot from the gun. Bryce denied owning the gun, firing it, or that the wound in his wrist was caused by a bullet.

Bryce was arrested June 25 on complaint of a 23 year old woman he met in a tavern at Irving Park and Plainfield rds., that he drove her to a spot four blocks west of Cumberland av. in Irving Park rd., where he raped her.

He was arraigned in Morton Grove county highway police court, where he asked for and obtained a change of venue. He is scheduled to appear before Justice of the Peace Elmer Tone in the same court Wednesday.

Another Rapist Seized

Bryce was arrested in the same police district in which John A. Dunn, 29, of 2057 N. Long av., was arrested early Thursday in the apartment of a 32 year old beauty operator he had just raped. Both arrests were made by Sgt. Anderson.

A petition for a writ of habeas corpus filed in behalf of Dunn was dismissed yesterday in Criminal court, after police told the court he would be booked by 2 a. m. on charges of rape and burglary.

Dunn entered the woman's apartment by forcing a screen off a window, beat her when she screamed, and raped her. He was captured in the apartment by police summoned by neighbors, who heard her scream.

Police said Dunn admitted raping the beauty operator, but that he refused to submit to questioning on the lie detector about other recent attacks on women.

Chicago Police Seek Maniac For Raping Nurse

Chicago, Sept. 16 (AP).—A 19-year-old nurse was raped last night by a sex maniac who robbed and bound the young woman's escort.

The attack heightened a police search for a gunman who last Friday shot to death Fred Ahlgrim, 49, when Ahlgrim resisted efforts to kidnap him and a woman companion.

The nurse told police her assailant told her he was "a sex maniac" and had killed a man who resisted him last Friday "over in Maxwell." Ahlgrim was killed in the Maxwell police district.

The nurse's escort, Louis L. Kerfman, 21, a truck driver, was bound and robbed of $43 and forced into the trunk of the car.

14 Men Are Jailed On Illinois Morals And Rape Charges

BELVIDERE, Ill., Oct. 15—(AP)—Fourteen men, ranging in age from 34 to 17, have been seized by police on rape and morals charges involving a group of teen-age girls.

State's Atty. Alexander J. Strom said the men are charged with rape, assault with intent to rape, or taking indecent liberties with a minor. Police described the men as farm and factory workers and said most of them came to this Northern Illinois community of 8,000 from Tennessee and Missouri.

Eight to 10 girls, from 15 to 13 years old, have been questioned by Strom and he said details which they gave him were "shocking, sordid and horrid."

The seizure of the men, Strom said, followed investigation by police and sheriff's officers of activities at an ice cream parlor between last July and Oct. 12. The officers had seen the men picking up the girls at the parlor and taking them for rides in cars.

After arrest of the 14 men Wednesday, five were held to the Grand Jury, three pleaded innocent and five have not been arraigned. The 14th man is held in Detroit on a morals charge in connection with the case.

WOMAN BREAKS SILENCE, RAPIST DRAWS 2D TERM

William L. Tenuta, 22, of 2754 N. Neva av., who got a five to 14 year sentence two weeks ago for attempted rape, yesterday drew another and longer sentence of 10 to 14 years for violation of probation in an earlier and similar case. The second sentence was fixed after a reluctant woman witness, upset by threats, had testified against him.

Tenuta for the last two weeks had occupied the attention of two judges in Criminal courts, impelling one to remark yesterday that some people have an unholy interest in the case, including "seven in this building." He did not elaborate. The building he referred to houses the Criminal courts, state's attorney's office and other departments.

Yesterday's sentence was imposed by Judge James J. McDermott, and that of two weeks ago by Judge William J. Lindsay.

Silent Witness Jailed

The reluctant witness was Mrs. Dorothy Milano Hagl, 21, of 1121 Erie st., victim of one of the attempted rapes. When Tenuta, son of a Democratic precinct captain, was tried before Judge Lindsay two weeks ago, she refused to testify, and Judge Lindsay sentenced her to two years in jail for contempt of court. Without her testimony, however, he found Tenuta guilty.

Mrs. Hagl later repented, said she had balked as a witness because of telephone threats to her mother, and agreed to testify when Tenuta appeared before Judge McDermott in another attempted rape case. In this case Judge McDermott last August granted Tenuta probation.

Tenuta appeared last Friday before Judge McDermott. Mrs. Hagl told her story to support a probation violation charge. Yesterday she appeared again before Judge McDermott and repeated her story of her fear to testify before Judge Lindsay. Her mother, Mrs. Vincent Milano, 628 N. May st., confirmed the threats.

Mother Confirms Threat

"Men constantly called on the phone and said my daughter had better not testify or they'd get her and the whole family," Mrs. Milano said.

Judge McDermott then sentenced Tenuta to 10 to 14 years, remarking, "You're guilty of the most heinous crime a man can commit."

Mrs. Hagl then was taken before Judge Lindsay on a motion to vacate the two year contempt sentence.

"I still don't think you've given al the information," the court said. "More people have an unholy interest in this case. There are seven people in this building who seem to have extra-official duties connected with this case."

Judge Lindsay then freed Mrs. Hagl from jail. He told her and her mother to report promptly any threats, and urged police and the state's attorney's office to conduct an investigation. Asked later whom he meant by the "seven people in this building," Judge Lindsay said, "They're not first class aldermen or legislators."

HUNT 2 RAPISTS; WOMAN ESCAPES, GIRL IS VICTIM

Police were searching yesterday for an unidentified man who tried to rape a north side housewife Monday night, and a young soldier, whose name is unknown, who raped a girl, 16, in Grant Park.

The housewife, wife of Mrs. June Otto, 5528 Kenmore av., [illegible] was walking home when a man seized her in front of 5531 Winthrop av. and dragged her into the alleyway at that address. He [illegible] beat her and theratened to kill her. Just then a neighbor, Thomas Speake of 5528 Kenmore av., [illegible], and Mrs. Otto screamed to him for help. Speake ran to her assistance and the rapist fled.

The girl rape victim, who lives on the south side, told central police her attacker was an air force soldier from Chanute field, Rantoul, Champaign county, with whom she went out on a date and whom she named. The attack was committed Sunday night in Grant park. The girl was taken to Juvenile home, where physicians confirmed the attack.

7984

Seize Rapist of Girl, 13, in Burglary

YOUTH GUIDANCE URGED

Chauncey McCormick asks controls to prevent juvenile crime, assails state training school. Story on page 2.

Police late yesterday arrested a man who later confessed he had raped a 13 year old parochial high school girl Dec. 1 in her home when she returned while he was burglarizing the place.

Detectives Bruce Jaffery and Joseph Bryjack arrested the man at 41st st. and Berkeley av., near the girl's home. He identified himself as Roosevelt Crump, 21, Negro, and said he had been living in an abandoned automobile near 44th st. and Cottage Grove av.

Capt. Michael Spatz of the Hyde Park station said Crump confessed after brief questioning. Crump was wearing trousers and a shirt stolen from the home, Spatz said.

Rapes Girl, Ransacks House

The victim told police her attacker threw a blanket over her head, dragged her into a bedroom, forced her to kiss him, tore off her clothing, and raped her after threatening to kill her with a heavy bottle. After the attack, she said, he wound a pair of pajamas around her head, dragged her into the living room, and forced her to sit there while he ransacked the house before fleeing with stolen clothing.

Crump also admitted four other burglaries in the same area, Capt. Spatz said. Detectives Jaffery and Bryjack, who seized Crump, had been assigned to the single task of arresting the rapist.

Nab Three in Harvard Rape

In another rape case, involving a 14 year old McHenry county girl deputy sherifs yesterday arrested three young men, two of them pupils in the Harvard Community High school.

They are Donald Bryan, 17, and James Berry, 17, the pupils, and William Schroeder, 19, a former pupil, all of Harvard. They were held in bonds of $2,000 when arraigned before Justice of the Peace Charles F. Hayes of Woodstock on charges of rape. Hearing was set for Dec. 15.

Three other Harvard High school pupils who allegedly attacked the girl at the same time were named in delinquency petitions which will be heard Monday by Mc Henry County Judge Henry L. Cowlin in Woodstock.

Offer Her Ride Home

The victim, also a pupil in the Harvard High school, lives on a farm north of that city. She told authorities the defendants offered her a ride home from a movie on Nov. 27. Instead of taking her home, she said, they stopped their automobile on a secluded gravel road and assaulted her.

William Crego, 23, of De Kalb, an electrical contractor, was held to the grand jury yesterday in bonds of $10,000 by Police Magistrate B. F. Peck of De Kalb county.

Crego was charged with assault with intent to rape a 13 year old girl whom he engaged as a sitter last Sunday night to stay with his year old baby while he and his wife were away. It was alleged that he went back into the house and attempted to attack the girl after taking his wife out. The girl eluded his advances and told her parents. it was charged.

Teen-Ager Raped by 3 Youths

Chicago, Dec. 26 (AP)—A 15-year-old high-school freshman told police today she was raped by three youths who accosted her as she was on her way to Christmas-night church services.

The youths held her captive during a 10-hour automobile ride last night and this morning, she said. They took turns raping her in the car's back seat, the girl said.

Doctors at Illinois Masonic Hospital confirmed that she had been raped and abused. The hospital notified police.

The girl told Detectives Vincent Decker and Frank Niermann she was on her way to church when two of the men asked her if she wanted to go for a ride. When she said. "No." they grabbed her and forced her into an old sedan, she said.

The rape victim said steam on the car windows prevented her from telling what route the 10-hour ride covered. She said the men made two stops for gasoline and that each time she was prevented from making an outcry.

She was put out of the car at the corner where she was picked up.

The bobby-soxer told police one of the men was about 19, mustached, and referred to as "Mike" by the others. The other two were about 18, she said, and one was called "Hot Dogs" by his companions.

7985

Trucker Held in Rape of Indiana Girl

Chicago Daily Tribune

BULLETIN

Earl Patrick Hall, 35, of Winchester, Ind., a truck driver, last night was identified by a 16 year old high school girl of Wanatah, La Porte county, Ind., as the man who raped her twice on Saturday night after kidnaping her and her escort, Roy L. Jackson, 20, of La Porte, from a Wanatah street. Hall was seized by Indiana state police and La Porte county authorities as he drove his truck on U. S. 30 only a mile from Wanatah, hours after the crime. Hall is married and has five children.

27h(2)

La Porte, Ind., May 22 (Special) —Sheriff Norman Reeg of La Porte county said today that a high school girl, 15, was kidnaped and raped last night near the village of Wanatah, 20 miles southwest of here.

Chicago Daily Tribune

The sheriff said the rapist was a man of middle age, wearing gray trousers and a matching shirt, without hat or coat, who displayed a gun on approaching a parked automobile in which the girl and a boy companion, 17, were sitting.

The man opened the car's left front door, forced the boy to move over from the driver's seat and took the wheel, the sheriff said. He then drove about 2 miles from the village and forced the boy from the car.

Mon. 5-23-49

Collapses At Farmhouse

The rapist then drove for another mile along obscure side roads, and halted in a clump of woods. After raping her twice, the sheriff said, the assailant drove back toward Wanatah with the girl and abandoned her on a highway near a viaduct south of the village.

The sheriff said the girl appeared about midnight at a nearby farmhouse, where she collapsed after giving an hysterical account of her experiences. She was brought to the county hospital here, where she remained under treatment today.

Find Auto Abandoned

The sheriff said she was unconscious on entry to the hospital and was not able to talk with officers until about 4 a. m. She said the rapist was about 5 feet 7 inches tall and weighed about 170 pounds.

Mon. 5-23-49

The automobile used in the crime was found early today abandoned on the outskirts of Wanatah. The sheriff said the familiarity with local roads displayed by the rapist indicates he may be a truck driver. He may have left his truck in Wanatah when he embarked on the kidnaping, the sheriff theorized, and returned to it after leaving the girl. State police broadcast the rapist's description.

7986

Fayette Jury Charges Four With Sex Offenses

Lexington, Ky., Jan. 14 (AP)—The Fayette grand jury announced indictments today charging four persons with sex offenses.

G. P. "Jeep" West, 23, Richmond, a radio disk jockey, was indicted for rape in connection with an offense against a 16-year-old girl. A second indictment charged him with having carnal knowledge of the girl "with her consent."

Claude Charles, 22, Fayette County, was indicted for rape in connection with a complaint filed by a 13-year-old girl.

Robert Jerome White, 28, and Ernest Darnell, 31, Lexington, were indicted on charges of detaining a 16-year-old Berea girl against her will.

5 States Seek Man Wanted In Slaying

'Census Taker' Believed Killer Of Pike Woman

Pikeville, Ky., March 14 (AP)—Sheriff D. C. Moore said tonight that a five-state search is being made for a self-styled "census taker," wanted for questioning in the slaying of a 19-year-old Pike County woman.

The body of the victim, Mrs. Lois Collins, was found in her home on Robinsons Creek by her husband when he returned from work Friday. Coroner John Call said she had suffered a fractured skull and had been strangled and raped.

Says Jewelry Sold.

Sheriff Moore said tonight he has no doubt that the man who posed as a census taked and stayed for several days in the home of a neighbor of the Collinses is the slayer of Mrs. Collins.

Wha's more, he added, the man hitchhiked an 18-mile ride into Pikeville with two officers and then sol dthe woman's jewelry "in the shadow of the Pike County Courthouse.

Moore said the man gave his name to Robinsons Creek resi-

dents as Freeman Kelly of Louisville. He was described as about 32 years old, dark, of medium height and build, and having a scar on his right index finger. (No record of a Freeman Kelly could be found in Louisville.)

Description Broadcast.

The description has been broadcast to police in Kentucky and bordering states of West Virginia, Tennessee, Virginia, and Ohio, the sheriff said.

Ed Wells and George Hereford, Pikeville merchants, told Moore today that they bought two rings and a watch from a man of Kelly's description about 3 p.m. Friday. The sheriff said the man sold an engagement ring for about $10 to Wells and a watch and a wedding band to Hereford for $7.

Identifies the Jewelry.

"Apparently," the officer added, "he sold them fast and cheap."

Mrs. Collins' husband, Lonzy, 19, identified the jewelry as having belonged to his wife.

Sheriff Moore said that Charley Potter, a railroad detective, and Deputy Constable Johnny Moore, Elkhorn City, reported giving a man of Kelly's description a ride toward Pikeville earlier Friday afternoon.

Two Youths Sought For Raping Woman

Two youths sought a 23-year-old married woman said raped her here were sought by police yesterday.

The woman was treated at General Hospital for bruises suffered when she leaped from their automobile on Fourth at the Ohio River.

The youths picked her up in an automobile at 9 p.m. Sunday in Jeffersonville, where she was visiting relatives, she told police. She said she had met them previously in a cafe at 19th and Broadway. Instead of driving her home, they went out Brownsboro Road, assaulted her and drove to the river, where she jumped from the car, according to her account.

Girl's Charge Of Rape Spurs Hunt for Pair

McCracken Officials Told of Attack

Paducah, Ky., May 16 (AP)—McCracken County officials are seeking two men who allegedly pushed a Smithland, Ky., girl out of an automobile on a roadside near Paducah early yesterday morning.

The 17-year-old was found unconscious on a roadside near Noble Park, and told officers that two men picked her up at a carnival Saturday night, drove her to the Reidland community, and raped her. Officials said she claimed the men then drove her back to Paducah and pushed her out of the automobile.

Taken to Hospital.

She said she knew the men only as "Bill" and "Billy."

She was taken to Riverside Hospital here, where authorities reported she was uninjured.

Deputy Sheriff J. R. Waller identified the girl as the same one who was found unconscious last fall on another McCracken County road. She told authorities at that time that she jumped from the car when two men who had picked her up attempted to assault her.

Rape Charge Filed By Girl's Mother In Kenton Assault

Covington, Ky., Aug. 24 (AP)—Ernest Foutch, 28, today was charged with raping a 14-year-old girl before he shot and slashed her early yesterday morning. The warrant was signed by the mother of the girl.

The action followed Foutch's appearance in court on charges of cutting and wounding with intent to kill. A formal plea of innocence was filed for the man, who testified in Kenton County Court that he fired the shots but did not intend to hit the girl.

Foutch was held under $10,000 bond and his case continued until September 7. Rape is punishable by death in the electric chair in Kentucky.

Man Accused of Rape Surrenders In Eminence

Eminence, Ky., July 26 (AP)—J. W. Holcomb, 20, accused of raping a 13-year-old girl near here Saturday night, walked into the office of County Judge M. J. Jones here today and surrendered.

Assistant County Attorney M. J. Jones, Jr., said State police had notified Holcomb's family that if he didn't surrender by 4 p.m. today they would come after him. Jones said the State police had left Eminence only a few minutes before Holcomb walked into the judge's office, saying, "I hear you want to see me."

He was arrested on a charge of rape, and officers immediately took him to Jefferson County Jail in Louisville. They said feeling against the youth had been running high here. He waived examining trial.

Jones said the girl was sitting in a parked car Saturday night with Fred Lee Smith, 25, when the attack occurred. The car was on a side road between Eminence and New Castle.

Jones said Smith was stabbed in the groin as he tried to prevent the attack on the girl. His condition and that of the girl were reported today as not serious.

Rape-Slaying Suspect Brought Back In Irons

Navy Vet Held In Secret Jail; Faces 3 Charges In Killing Of Pike County Bride, 19

By the Associated Press.

Louisa, Ky., July 20.—Blaine Edgar Jones, 32, waived extradition from Virginia today and was returned to Kentucky in shackles to face three indictments charging rape, murder, and robbery.

The handsome Navy veteran, who led police of three states on a wild chase last March following the slaying of Mrs. Lois Collins, 19, at her home near Pikeville, was brought back to Kentucky from Grundy, Va., by State Police Detective Arch Thompson, who led the investigation last spring.

Thompson, who makes his headquarters here, said he was

holding Jones "somewhere along the Ohio River on the Kentucky side." He would not disclose the location because of the bitter feeling against the suspected slayer in Eastern Kentucky.

Guard Recognized Him.

Jones was arrested in Bland County, Virginia, Monday after a guard on the County Correctional Farm recognized him as the man wanted in Kentucky. Jones had

Authorities traced Jones through West Virginia as far as Bluefield. There the trail ended.

Thompson said today Jones admitted he was the man they were searching for and said Thompson had been only an hour and a half behind him March 12 when he lost Jones' trail.

The detective said Jones admitted nothing about the slaying. He was charged with several other sentences on the farm this spring and summer.

The body of Mrs. Collins, a bride of six months, was found in her Robinson Creek home, 18 miles from Pikeville, by her husband when he returned home from work on March 11. Pike County Coroner John Call said she had suffered a fractured skull, and had been strangled and raped.

A nation-wide alarm went out after the slaying with seeming location because of the bitter feeling against the suspected slayer in Eastern Kentucky.

Jones had posed as a federal census-taker and for several days in the home of a neighbor of the Collinses. "He agreed to waive extradition," Thompson said, "when he

realized I knew he was the man we wanted and that we would extradite him anyway."

Thompson drove Jones from Grundy. The prisoner was handcuffed to his belt and was wearing leg irons. He and Thompson stopped at the Louisa Jail for lunch and then went on to the secret prison.

Divorced From Wife.

The detective said Jones left a message with the Grundy jailer giving instructions for disposal of his belongings "if something happens to me in Kentucky." Thompson said Jones told the jailer:

"If something happens to me in Kentucky, you tell my former wife and baby where they can find my discharge and personal papers. You never can tell what will happen."

Jones is divorced from his wife, a Virginia schoolteacher. Their 5-year-old daughter lives with her mother.

Thompson was unable to determine exactly where Jones had been since last March. He said Jones admitted catching a bus out of Bluefield March 12 and going into Virginia to the general area where he was apprehended.

He had worked as a farm laborer for a while. Buchanan County Sheriff Fletcher gave Jones' home as Garden Creek, near Grundy. His parents live at Richlands, Va.

Jones served about four years in the Navy. He had a good record. Thompson said.

Runaway Girl Is Shot Twice, Throat Cut

Police Say Man Admits Firing, Denies Rape

Covington, Ky., Aug. 23 (AP)—Shot twice and her throat slashed, a 14-year-old runaway girl was left for dead in the underbrush of a park here early this morning.

Clad only in a slip, and covered with blood, wet leaves, and weeds, she staggered to the home of Mr. and Mrs. Arthur J. Chisenhall, near by.

Her cries awakened the family. Taken into the house, she told officers she had been raped.

Her story brought about the arrest of Ernest Foutch, 28, on charges of cutting and shooting to kill.

Says They Met In Park.

City Detective John Dedden quoted Foutch as admitting orally that he shot the girl. He denied her charge that she had been raped.

At Booth Hospital, the girl was reported to be in fair condition.

Dedden, called into the case after the Chisenhall family reported that the girl had come to their home, said she told him this story:

The daughter of divorced parents, she had run away several days ago.

She met Foutch and another man in a Covington park and played Ping Pong for a time. Finally, she accepted Foutch's suggestion that she go with him to his brother's home, where, he told her, she would be given a room.

Dragged Into Bushes.

They boarded a bus, left it at a corner which she could not identify, and started to walk toward Devou Park.

Suddenly, she was dragged into the bushes off the sidewalk and her dress torn from her body. She was raped and her throat cut.

While she lay still, the man covered her with leaves and weeds, but, when she moved after thinking he had left, she was shot twice. One shot entered her right shoulder, the other grazed her forehead on the right side.

When her assailant left, she dug her way out, staggered to the Chisenhall home and cried for help. That was about 2 this morning.

'Most Horrible Sight.'

"It was the most horrible sight I've ever seen," Mrs. Chisenhall told reporters in describing the girl.

"She was covered from head to foot with blood and leaves and mud, and she was moaning and shivering."

The girl was identified as the daughter of a divorced couple, both of whom have married again. Her stepmother and her mother said they had not seen her for two weeks, each thinking she was staying with the other. The girl is one of six children of the divorced couple.

The girl was released by Kenton County juvenile authorities into her father's custody last year, after being under their care because of failure to attend school.

Pike Rape-Slayer Hangs Self In Cell On Eve of Trial

Blaine Edgar Jones Uses Belt And Clothesline To Take Own Life

By The Associated Press.

Pikeville, Ky., Aug. 21.—Blaine Edgar Jones, accused rape-slayer, hanged himself in his Pike County Jail cell today.

The sheriff's office announced that 32-year-old Jones was found hanging from a light fixture by his belt and a piece of clothesline.

He was to have gone on trial tomorrow on a charge of murder in the death of 19-year-old Mrs. Lois Collins.

Mrs. Collins' body was found in her Pike County home March 11. She had been raped, slain, and robbed, authorities said.

Seemed In High Spirits.

Jailer John M. Justice said Jones last was seen alive around noon when his lunch was taken to him. He said Jones seemed to be in high spirits and had just finished shaving.

The body was discovered, the sheriff's office said, when supper was taken to him at 5:40 p.m. No one had visited the cell between lunch and supper, it was reported.

Mrs. Collins, who lived at Robinson's Creek, 18 miles from here, was a bride of six months.

Jones was arrested July 19 in Virginia.

In a signed statement July 21, he admitted that he killed and robbed Mrs. Collins, but denied he had raped her.

Jones was serving a misdemeanor sentence on the Bland County Correctional Farm in Virginia when he was recognized as the man wanted in the Eastern Kentucky case.

Brought to Kentucky.

Bland County officers turned the prisoner, a former coal miner, over to Buchanan County authorities to be taken to Kentucky.

The body of Mrs. Collins was found by her husband when he returned home from work March 11. Pike County Coroner John Call said she had suffered a fractured skull, had been strangled, and criminally assaulted.

A nation-wide alarm was sent out for Jones the day after the slaying, after it was learned he was the man who had sold an engagement ring, a wedding band, and a watch stolen from Mrs. Collins by her assailant.

State Police Detective Arch Thompson said at the time Jones had posed as a federal census-taker and stayed for several days in the home of a neighbor of the Collinses. Authorities traced Jones through West Virginia as far as Bluefield, where the trail ended.

Hit With Piggy Bank.

In a signed confession, Jones admitted he had persuaded Mrs. Collins to let him in her home. When she turned around, Jones told officers, he hit her in the head with a piggy bank.

"She started crying and screaming," Jones said, "and I pushed her down on the bed and choked her to death."

State Police Captain Sanders said Jones emphatically had denied that he criminally assaulted the woman.

At the time of the confession Jones was identified by local residents as the man seen in and near the Collins home the day of the slaying.

Denied Change of Venue.

Because of high feeling in the Pike County area, Jones was held in an undisclosed jail until shortly before his trial.

Last Monday, defense attorneys asked for a week's recess to give them time to prepare their case.

The following day, the defense asked for a change of venue, because of the large number of relatives and friends of the victim in the area and the wide publicity the case had received.

Circuit Judge E. D. Stephenson overruled the motion. He held that a jury was drawn from a neighboring county, Knott, and it would assure Jones of a fair trial.

Woman Gets 10 Years In Case Involving Girl

A Criminal Court jury yesterday convicted Mrs. Mary L. Braden, 39, of a morals charge that involved a 10-year-old daughter. Her punishment was fixed at 10 years imprisonment.

The conviction of Mrs. Braden, 300 block West Jefferson, wound up a series of morals cases involving the family. Previously, her husband, Edward Braden, 40, had pleaded guilty to rape of a stepdaughter. A boarder, Eddie Burton, 51, was sentenced to two years on a morals charge that involved the 10-year-old child.

Youth Charged In Rape Of 14-Year-Old Girl

Richmond, Ky., Dec. 22 (AP)—Madison County authorities said Clarence Powell, 21, has been placed in jail here on a charge of raping a 14-year-old girl near Berea last night. Magistrate Tom Huff at Berea said the warrant was sworn to by the girl's companion on a date last night, Ronzo Bratcher, 19.

Huff said Bratcher related that Powell beat him up and forced his attentions on the girl. The alleged incident occurred at a rural church near Berea.

7987

Lawyer Held On Charges Of Maid

The Circuit Court grand jury returned a true bill against Atty. Arthur E. Johnson, 46 years old, charging him with assaulting his maid. The charges were brought by Mrs. Elizabeth Blanchard, 36, of 2041 North Taylor Avenue, who is married and has one child.

Mrs. Blanchard contended that on December 9, while at work in the Johnson home at 6925 Leona avenue, he accosted her and assaulted her after a vicious struggle. She stated that she yelled loudly for help, attracting Johnson's wife who observed the crime.

Johnson, who was arrested after the indictment had been returned, told reporters the charge was trumped up by Mrs. Blanchard who was fired bis his wife, December 9 for inefficiency. He also stated that he had received anonymous telephone calls and a letter since the charge was made, evidently intending to get a settlement of some sort.

Mrs. Blanchard, who has retained Atty. Silas Garner as counsellor, gave an Argus reporter a brief account of the assault. She stated that she was confined in bed for a period as a result of the act and is still in a highly nervous condition as a result. She expressed intentions of prosecuting the case to the limit.

Louisiana Sheriff Faces Rape Charge

(By James B. LaFourche)

NEW ORLEANS, La. — (ANP) — An assumption parish sheriff may soon face attempted rape charges if reports coming from Napoleonville, La., are true. The sheriff, Ferdinand Richard is said to have entered the cell of a married Negro woman, Mrs. Ruth Cheatham, and sought to force her to have an affair with him.

On disturbing her wearing apparel the sheriff, according to a white news reporter, discovered the woman to be in an embarrassing position and he abandoned his intention.

Meanwhile, the U. S. District attorney here, J. Skelly Wright, has asked the FBI to probe into the alleged violation of civil rights in the parish where it is said that whites and Negroes alike live under the constant fear of Sheriff Richard who beats them "mercilessly."

Meanwhile efforts are afoot to oust the Rev. Father Harry J. Maloney, who is spearheading the drive against the sheriff. The pastor of St. Benedict the Moor church at Napoleonville, La., is now threatened with ouster

PRISONER CHARGES ASSAULT:

New Orleans Sheriff Facing Attack Count

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Meanwhile, the U.S. District attorney here, J. Skelly Wright, has asked the FBI to probe into the alleged violation of civil rights in the parish where it is said that persons of both races live under the constant fear of Sheriff Richard, who beats them "mercilessly."

Priest Heads Drive

Meanwhile efforts are afoot to oust the Rev. Father Harry J. Maloney, who is spearheading the drive against the sheriff.

The pastor of St. Benedict the Moor Church at Napoleonville, La., is now threatened with ouster proceedings as was indicated last week after a five-hour conference. However, the civil rights crusader is being warmly backed by a large number of parishioners.

The Cheatham woman and her husband, Julius Cheatham, have both filed suits against the sheriff for beating them. Cheatham was beaten when he went to visit his wife in jail.

A third party Shelby Thibadaux, a 41-year-old sugar refinery worker, has also filed suit against Richard for "illegally extorting, assaulting and slandering" him. All suits were filed by the same attorney.

Mr. Wright's action surprised most persons here, for it was reported that he addressed a gathering of sheriffs' two weeks ago and stated he would not interfere with affairs of this kind.

7988

40-Year-Old Fugitive Nabbed in Delaware

Had 'Escaped' From Tiny Maryland Jail Aug. 5; Citizens Aroused

BLADES, Del. — Edward Jerome Lankford, white fish peddler, who escaped on Aug. 5 from the Snow Hill, Md., jail, where he was being held on a charge of criminally assaulting a 17-year-old girl, was recaptured here Wednesday.

The 40-year-old fugitive was returned to the Maryland jail by S. J. Small, Worcester County (Md.) deputy sheriff, and Maryland State Trooper Michael Galeone.

His recapture came a month and a day after his questionable escape from the Snow Hill jail where he was being held for the action of the grand jury.

Faces 6 Other Charges

In addition to the criminal assault on the 17-year-old girl in Worcester County, Lankford is accused of molesting six other girls, including a child of 11.

Announcement of his recapture was made by Arthur W. Duer, Worcester County sheriff, who had been sharply criticized by the Baltimore NAACP and Snow Hill police for his apparent indifference to the escape.

J. Edward Adkins, Snow Hill chief of police, termed the escape "an awfully peculiar jail break."

Newspapers Informed Chief

Chief Adkins said Sheriff Duer failed to notify him of the "escape" and that he first learned of it when a Salisbury newspaper called to confirm a tip it had concerning it.

The attacks and attempted attacks with which Lankford is charged date back to April 20, when the 17-year-old girl was assaulted near her home at Scarborough Switch, six miles from Snow Hill.

The girl, a June graduate of Worcester County High School, said Lankford had asked her to work in his home and agreed to pay her 60 cents an hour. Needing additional money for graduation expenses, the girl said, she decided to take the job.

Attacked in Woods, Girl Says

On the day she was to begin work, Lankford came for her in his car, she charged, but instead of going to his residence, took her into the woods where the attack occurred.

The NAACP entered the case when Worcester County officials moved slowly in the investigation. Lankford was not arrested until July 27, almost three months after the attack.

In the meantime, he was reported to have molested and attacked several other girls, some as far distant as Pocomoke City, Maryland.

Chief Certain of Guilt

After his belated arrest, Lankford was picked from a police line-up of prisoners by at least six of the girls, Chief Adkins said, adding, "There was no doubt about it. He was the man."

Mrs. Lillie Jackson, president of the Baltimore NAACP and of the State conference of NAACP branches. informed Gov. Lane of the escape and circumstances and urged immediate action to bring about Lankford's recapture.

Mrs. Jackson also called on Governor Tuck of Virginia and asked Governor Lane to call in the FBI on the hunt, inasmuch as the fugitive was believed to have crossed a State line in his flight.

$300 in Reward Funds

The NAACP offered a reward of $100 for the suspect's recapture; the Baltimore Frontiers Club put up an additional $100 reward; and Sheriff Duer offered a $100 reward.

Carl Murphy, custodian of the NAACP award money, stated that the NAACP's offer will be paid as soon as an investigation is made to determine who should get the money.

Lankford's escape from the Snow Hill jail occurred on the same day on which Govenor Lane sent Chief Adkins a letter congratulating him for his police work in apprehending the fish peddler.

Fish Peddler Awaits Jury Action

SNOW HILL, Md.—Confined in the Worcester County jail here, Edward J. Lankford, white fish peddler, awaits action of the fall term grand jury, which may indict him for seven sex offenses.

The 40-year-old peddler and garage mechanic is accused of criminally assaulting a 17-year-old Worcester County high school girl and of molesting six other girls, including a child of 11.

If indicted by the grand jury, he will probaby go on trial here next month.

Walked Out of Jail

Lankford almost foiled the wheels of justice when he walked out of the Snow Hill jail on Aug. 5. His freedom was short-lived, however, and he was recaptured in Blades, Del., on Sept. 7, and returned to the Maryland jail.

His August escape drew a series of protests from citizens and civic organizations who wrote to Governor Lane demanding that he be re-arrested and brought to trial.

The attacks and attempted attacks with which he is charged date back to April 20, when the 17-year-old girl was assaulted near her home at Scarborough Switch, six miles from here.

Jury Indicts White Suspect in Snow Hill Attack Case

SNOW HILL, Md. — Edward J. Lankford, white fish peddler, was indicted by the Worcester County grand jury, Tuesday, on charges of attempting to criminally assault a 17-year-old colored girl and of jail breaking.

He will stand trial either Tuesday or Wednesday of next week.

The attack charge is the outgrowth of a complaint made on April 20 by a teen-age June graduate of the Worcester County High School.

The girl reported being attacked in a wooded area while she was in Lankford's car going to his home to do some housework.

Others Attacked in Interim

Though she reported the incident immediately, the suspect was not arrested until three months later, following protests from the NAACP and other civic organizations.

Lankford was placed in the county jail here, and "escaped" on Aug. 5. He was recaptured in Blades, Del., a month later and returned to the Snow Hill jail to await trial.

Lankford is also accused of molesting six other colored girls, one of them 11 years old, in the period between his attack on the plaintiff and his arrest, but he was not indicted on these complaints.

To Be Given Mental Tests

The defendant had not obtained legal counsel on Wednesday, and it was believed that he will be defended by a court-appointed attorney.

Lankford, 40, and a part-time garage mechanic, has complained of severe headaches since his second stay in the jail.

Burglary, Rape Laid To Fugitive

BALTIMORE, Dec. 20—(AP)—Police today placed a rape and five burglary charges against a man they identified as an escaped convict from Alabama.

He was docketed as Leonard Allen, 27, alias Eddie Blackwood.

Records at Kilby Prison showed Leonard Allen escaped Nov. 11 from the prison canning plant by cutting through a screen door and slipping past guards.

HE HAD BEEN sentenced from Talladega County in May, 1940, to serve 25 years on three charges of burglary and grand larceny.

Detective Sgt. Joseph Kordelka reported he arrested Allen last night in a pawn shop trying to dispose of some jewelry.

He is charged with raping a 25-year-old waitress in an apartment building, Dec. 12. One of the burglaries of which he is accused, netted about $2,877 worth of loot. Police said the total was near $5,000.

7989

Victims in Hospital

2 Little Maryland Girls Raped; 8-State Alarm Out for Uncle

27h(2)

Washington Post

A 34-year-old man was sought last night by Anne Arundel County police on a charge of raping his two small nieces, whose ages are 2 and 3 years.

An eight-State alarm was sent out for the arrest of Willard Gray of Quicksburg, Va. District police were notified that Gray might head for Washington because his sister lives here Wash. D.C.

Gray is alleged to have brutally raped the children in a cabin near Pasadena, Md., Monday night while he was serving as baby-sitter. The parents had gone to Glen Burnie, Md., about four miles distant, to do some shopping.

Warrants charging Gray with two counts of rape were issued at 7 o'clock last night. The double rape was not reported to police until yesterday morning, after which the children, badly injured, were rushed to Mercy Hospital in Baltimore. W.P. 5-25-49

At the hospital, the younger girl was reported in "poor" condition and her sister in "fair" condition.

The father of the girls is a handyman and laborer who moved his family into the cabin about five months ago after they moved to Maryland from Quicksburg, Va.

His brother, police were told, had often "sat" with the children when the family lived in Virginia. The brother had come up from Quicksburg last Sunday.

The mother of the girls gave police this account of what happened: 5-25-49

She and her husband left the cabin at about 9:50 p. m. Monday to go into Glen Burnie to do some shopping. They left the brother to watch the children.

En route home, the father stopped off at a tavern. The mother arrived at the cabin alone at 10:20 p. m. She found both girls bleeding profusely and questioned the brother.

He told her that he had suffered a nose bleed and that probably some of the blood had dropped on the children. She asked him to go to the tavern and tell her husband to return home. Wash. D.C.

The brother went to the tavern, stuck his head inside the door, told the father, "Your wife wants you," and then disappeared. He has not been seen since. 27h(2)

Police were alerted when a tavern owner called the county police substation on Mountain rd. yesterday morning and asked that a doctor be sent to the scene. W.P. 5-25-49

When pressed for details, the tavern owner said he was told two young girls had been raped in a cabin behind his tavern. The scene is only a quarter of a mile from the police substation.

Sergt. W. L. Brown and Pvt. James G. Jacobs of the county police went to investigate. They found the mother standing outside the cabin with the 2-year-old girl in her arms. The older child was inside the cabin on a bed. 27h(2)

Dr. Gustav Faubert of Glen Burnie was rushed to the cabin in a police scout car. He found the children seriously injured and ordered them taken to the hospital in Baltimore. 5-25-49

In their eight-State alarm, police described the uncle sought for questioning as 5 feet 8 inches, about 145 pounds, with light hair combed straight back, a ruddy complexion and red inflamed eyes.

Rape Suspect Wed Another Girl, Police Sa

Wash. Post 5-11-49

An Upper Marlboro youth charged with rape of a 16-year-old Ritchie, Md., girl last Friday night married another 16-year-old girl Saturday morning, police said yesterday. Washington

Identified as Roy Frank Lusby, 17, a farm hand, he will be given a preliminary hearing at 10 a. m. Friday in Upper Marlboro Police Court. He is being held without bond. 27h(2)Md.

Prince Georges County Detective Wilson J. Purdy said the case came to the attention of police when the girl's mother complained Friday night. The rape allegedly occurred in a car near Forestville, Purdy said.

When the girl arrived home, according to Purdy, she told her mother, who took her to a physician. The mother then reported her daughter's story to police. The girl, according to the officer, suffered bruised arms and legs.

Purdy said that Lusby and the girl had gone out Friday evening with a group of friends. They were alone in the car when the rape allegedly occurred, he said. Lusby afterwards drove the girl to her home, Purdy said.

Saturday morning, he said, Lusby married another 16-year-old girl. Records at the Prince Georges County Court House at Upper Marlboro show Lusby was issued a marriage license Friday afternoon. Parental consent was given on both sides, the records showed.

The rape charge was placed against him Tuesday.

2 Trail, Nab White Man With 11-Year-Old Girl

Afro-American Balto.

BALTIMORE

Caught and held for police by two civilians who said they trailed and caught him in the act molesting an 11-year-old girl, a 29-year-old white man was held without bail, Thursday, for grand jury action. Sat. 9-3-49

The man, Ralph Whatule, meat cutter of 834 Eutaw St., was charged with attempted criminal assault as a result of action by Magistrate Thomas Fitzpatrick, who issued a warrant for the man's arrest on Wednesday. Baltimore

The action was taken after Whatule failed to show up on the disorderly conduct charge placed against him by police.

Police "Explain" Lesser Charge

The arresting officers, Harry Klagers and Robert Deitz said the disorderly charge was placed because the little girl denied that the man did anything to her.

Consequently, when the case was called Wednesday morning, Whatule had posted $11.45 collateral and gone home without returning. He was picked up on the magistrate's warrant and charged with assault later that day.

Brother Hired as Lookout

The two men, instrumental in his arrest, are Nathan Henderson of 329 and David C. Moore of 317 W. Biddle St.

The two young men said they caught Whatule when he attempted to flee from a church yard at Madison and Eutaw Sts., where he had taken the little girl while her young brother and another small boy acted as lookouts.

Mr. Henderson said he heard one of the youngsters say as they approached, "There's two 'n - - - r' men watching."

Mr. Moore said he had been trailing Whatule and the child about a half hour before Mr. Henderson joined him, and had witnessed earlier indiscretions by the two in the window sill of a laundry.

The girl was sullen and non-cooperative with the magistrate until Whatule called the witnesses "liars" and said he did not touch her. 27h(2)

"You did too," she cried at him.

Whatule told the magistrate, "They're just trying to frame me, that's what they're trying to do." He offered no explanation, however, as to why he was with the little girl at all.

The witnesses said the affair happened at about 10 p.m., Tuesday night.

Bars Teen-Agers Baltimore Judge From Rape Trial

Sun, Balto. Nov. 8, 1949

Baltimore, Nov. 7 (AP) — Judge Robert France today called it "perfectly outrageous" and banned from his courtroom a group of teen-agers who had gone to listen to a rape trial. 27h(2)

Some 20 or 30 girls and boys had taken front benches as the trial of seven youths, ranging between 15 and 18 years of age, was about to begin.

Glaring their way, Judge France said, "The court is much disturbed about these people possibly hooking school to come down here to listen to what they think will be dirty testimony."

He ordered the youngsters out.

The seven defendants are charged with raping two high-school girls, 15 and 16, October 21 after a high-school football game.

7990

Fish Peddler Held For Rape On Colored Girl

Sat. 8-6-49

By NNPA News Service

BALTIMORE, Md. — After almost three months of investigation, Police Chief Edward Adkins, of Snow Hill, Maryland, last Thursday apprehended Jerome Lankford, white, 40-year old fish peddler and garage mechanic at Mears, Va., who is accused of raping a 16-year old colored girl.

Complaints of inaction had been lodged with Chief Adkins by the Maryland State Conference of NAACP Branches.

Lankford is said to have been identified as the attacker of the daughter of Mrs. Osha Cephas in Snow Hill on April 30.

Upon complaint of Mrs. Cephas and her daughter, the girl was examined by Dr. Paul Cohen, county police physician, who, according to a report made by Chief Adkins to Calvin Douglass, NAACP attorney, found evidence bearing out the accusation of rape.

CAR CHECKED

Questioning of the girl revealed that the accused drove a model T Ford, bearing Virginia tags. Chief Adkins telephoned State Police Barracks at Salisbury, Md., to be on the look out for the car.

Six weeks later, while Mrs. Cephas and her daughter were at a labor camp at Suitland, Md., she recognized the same car and driver and jotted down the tag number. On returning to Snow Hill she gave the information to Chief Adkins, who found that the owner of the car was Lankford.

Chief Adkins consulted the State's Attorney and charged Lankford with attempted rape. The warrant was forwarded to the sheriff of Accomac county, Va., by registered mail. On July 28 Lankford was taken into custody at Pocomoke City, Va.

No date for preliminary hearing has been set. Mrs. Lillie Jackson, president of the Maryland State Conference of NAACP Branches, sent a letter of commendation to Governor Preston Lane for the apprehension by Chief Adkins of Lankford.

Mrs. Jackson pointed out that numerous complaints of similar attacks by white men on colored girls in Somerset county on the eastern shore of Maryland had been lodged with the NAACP

will do much at allay the fears of colored mothers that their daughters would not receive the same protection from law enforcement officers as other mother's daughters. This action of Chief Adkins increases the respect as citizens and taxpayers for the efficiency of the Maryland State Police Department," Mrs. Jackson wrote Governor Lane.

Chief Adkins disclosed thatat present he and state police are investigating six other similar complaints from neighboring Somerset County and Virginia's Eastern Shore.

Journal and Guide
Norfolk, Va.
Sat. 8-6-49

Sex Offender Piles Coals on Prostrate Girl

SPRINGFIELD, Mass.—(UP)—Painstaking detective work led yesterday to the arrest of a 260-pound convicted sex offender on charges of attacking a 13-year-old baby sitter and then heaping hot coals on her helpless form.

Robert A. Perry, 30, a Springfield oil burner salesman, allegedly confessed beating Patricia Ann Black with an oil burner bracket but said he "didn't remember" shoveling coals on her body.

The girl, in critical condition at a hospital, was minding her two young brothers last Saturday night when her assailant entered through an unlocked door and attempted a sex attack on her as she slept on the sofa.

Patricia fought furiously until she was slugged with the metal bracket. As she lay helpless on the floor, her attacker went to the kitchen, took a shovelful of hot coals from the stove, scattered them over her and fled.

It was the tracing of the metal bracket that led to the arrest of Perry. Police Chief Raymond P. Callagher commended two detectives for their "brilliant work." Lt. James J. McCarthy and Patrolman John A. Gilmore traced the bracket to the manufacturer, then to the distributor, then to Perry.

Perry was booked on charges of breaking and entering in the nighttime with intent to commit larceny, and assault with a dangerous weapon. He will be arraigned in district court tomorrow.

Police said his previous record included a three-year reformatory sentence for a sex offense.

7992

JUDGE ASSAILS MOTHERS

Bus Driver Sentenced for Attack on Girl, 12

A DSR driver, LeRoy Tahfs, 30, of 6405 Majestic, was sentenced to two to 10 years for taking indecent liberties with a 12-year-old girl.

Tahfs was suspended on his conviction a week ago. He was one of those who led the DSR to consider a policy of automatic suspension of employes charged with felonies.

Recorder's Judge W. McKay Skillman assailed the girl's mother, at whose home Tahfs was living when the offense occurred in October.

* * *

THE GIRL TOLD police Tahfs had molested her two or three times before the alleged offense. All the incidents took place in the girl's home.

The mother, police said, told the girl to "keep her mouth shut" and refused to sign a complaint.

Then the girl went to her grandmother, who signed the complaint bringing Tahfs' arrest.

Judge Skillman said it was "the worst case I have ever seen, because the mother was openly living with the defendant."

* * *

FURTHERMORE, the judge said, the mother hired an attorney in an effort to keep her daughter from testifying at Tahfs' examination.

"She is equally guilty with Tahfs," he said.

He ordered policewomen to investigate the possibility of taking the 12-year-old girl and four other children from the mother, a divorcee. The children are now staying with the grandmother.

* * *

TAHFS, also divorced, is the father of a four-year-old girl.

Another suspended driver, Charles E. Williams, 24, of 4582 Ternes, is awaiting trial on a charge of raping a 24-year-old waitress.

Williams, father of a five-year-old girl, had been suspended before when accused of assaulting a 14-year-old girl on a bus.

Woman Reports Attack by Man

A 32-year-old married woman reported to police that she was raped by a man who forced her between houses at 5959 Grandy.

She was given first aid at Receiving Hospital. She told detectives that her screams attracted a passing car driver, who frightened off her attacker.

Man Admits Effort To Rape 7-Year-Old

'Mean Nature Came Up' As He Kidnaped Her

Detroit, Nov. 16 (AP)—A glum 35-year-old father told authorities today he abducted a blue-eyed little girl and tried to molest her, "just to be mean."

Seven-year-old Karen Kuechenmeister escaped unharmed last night when the abductor abandoned his car in the midst of a wild police chase.

William B. Mabrey, a rooming-house manager, was arrested 50 minutes later.

For most of today he denied the whole thing. Then, breaking under constant questioning, he told Chief Assistant Prosecutor Ralph Garber he took the child and tried to get her to perform a sexual act with him.

'Never Saw Her Before'

Karen was seized in the living room of her home. Her terrified parents saw her being carried away.

Garber quoted Mabrey as saying:

"I didn't know the girl. I never saw her before. I looked through the window and saw her inside and my mean nature came up. I can't explain this, except I was drunk."

Mabrey, who has a 2-month-old boy, said he started to molest the child, but did not attack her.

Her panties were found in a leather jacket left in Mabrey's abandoned car.

A former Illinois man, Mabrey served four years in prison on a burglary charge. He was released from Pontiac, Ill., Reformatory in 1943.

He was held here for investigation of kidnaping and taking indecent liberties with a minor.

Last night 18 police cars joined in a 90-mile-an-hour chase after the abduction was reported.

Parents Jailed for Neglect

Special to the Free Press

ADRIAN—Carl Benson, 30, Rollin Township farmer, pleaded guilty in Circuit Court to a charge of neglecting his daughter, Barbara, 3.

The child, according to officers, had been raped. A 14-year-old half brother of Benson is being held in connection with the case.

Benson's wife, Ruth, also pleaded guilty and both are in jail for lack of $1,000 bond.

Widow Battered to Death

Killed in Home with Wrench

A 54-year-old widow and grandmother, her head crushed by repeated blows with a pipe wrench, was murdered and apparently raped in the home of her daughter at 3616 S. Bassett.

The victim, Mrs. Carrie Cobb, was found lying in a pool of blood by her daughter, Mrs. Lula Slater, 35.

Mrs. Slater told police she found her mother at 7:30 p. m. Thursday lying in the hallway between a kitchen and a bathroom.

Her clothing had been disarranged and partly removed, she said.

* * *

POLICE FOUND the bloody wrench and a blood-spattered pair of gloves in the basement.

The slain woman was employed as a domestic in a West Side home.

Woman's Attacker Sent to Prison

Edgar Sutton, 24, of 4305 Trumbull, was given 7½ to 15 years in Jackson Prison by Recorder's Judge John P. Scallen for raping a 22-year-old married woman in an alley near 17801 Albion.

He was paroled in June after serving four years for attacking a 15-year-old baby sitter.

7993

Girl, 7, Points Out 'Abductor' Who Attacked, Left Her 'Dead'

Red Lake Falls, Minn., Nov. 22 (AP)—A 7-year-old girl pointed out a 25-year-old man today as the person who abducted and attacked her and then left her for dead near a haystack 12 miles north of here.

Raymond Dempsey was taken before Vivian Shannon as she lay in a hospital bed.

"I'm very sure it is the same man," said Vivian. "His face is the same. He's just as atll and has the same kind of coat. His hair looks just the same."

Dempsey shook his head and said, "I'm sure not the guy."

A man in an automobile seized Vivian from a Red Lake Falls street yesterday. At 7:30 a.m. today she wandered into a farm yard 12 miles north of here.

Car Stalled In Ditch

She muttered incoherently. Her finger tips and the tip of her nose were frostbitten. She bore scratches. Evidently she had wandered several hours in the darkness.

At a hospital she told authorities her abductor's car had stalled in a ditch. A man helped pull them out. She said she was too frightened to say anything.

She said they drove around down back roads for a long time before she was taken out of the car. She remembered being choked. She awoke near a haystack.

Dr. L. N. Dale said Vivian had marks on her throat showing an attempt had been made to choke her. He also said sex advances had been made, but he had not yet determined to what extent.

Dempsey was taken into custody 20 miles from here. The sheriff traced him after he found a man who said he had pulled Dempsey's car out of a ditch near St. Hilaire.

Left for Dead at Haystack in Cold of Night

Crookston, Minn., Nov. 22 [Special]—A girl, 7, who survived a sex abduction and strangling attempt after being left for dead beside a haystack, pointed an accusing finger from her hospital bed here today at a cringing suspect and said firmly, "He is the man."

The girl is Vivian Shannon, of Red Lake Falls, who was snatched from a sidewalk there about 5 p. m. yesterday by a man in an automobile. She appeared at dawn today at a farmhouse about 10 miles from her home. Her nose and fingertips were frozen.

Despite the girl's hospital identification, the suspect, who is 25 and married, insisted that he is not the man who kidnaped the girl.

Helped Push Car

He previously had been confronted by Lloyd Johnson, a Red Lake county farmer, who positively identified him as a man seen by Johnson last night in a stalled automobile with a little girl on a highway near Red Lake Falls. Johnson said he helped this man push his car out of a ditch and get it started.

The suspect was taken from the hospital to the Polk county jail here, where he was questioned by Sherif Torkle Knutson of Polk county and Sherif Noel Proulx of Red Lake county.

Dr. L. N. Dale of Red Lake Falls, who examined Vivian before she was brought to the hospital, said sexual advances had been made toward her by her abductor but that he could not determine the extent without further tests.

He said there were bruises and scratches on her neck, indicating that an effort had been made to strangle her. She was suffering from exposure and nervous shock, but the physician described her as "observant and capable of telling what happened."

Wandered Four Hours

The farm into which Vivian wandered is that of Oscar Borge. It is about half a mile from the haystack where the girl is thought to have been attacked and left for dead. Officers said the attack probably took place between midnight and 2 a. m., and that the girl wandered in the darkness in 10 above zero temperature for about four hours before reaching the farmhouse.

Vivian told officers the man called her to his automobile by driving to the curb and asking, "Who is that man over there?" She said she stepped to the car and that the man seized her and dragged her into it, shouting, "Get in or I'll break your neck."

She said he drove her for several hours along rural roads and on one occasion ran into a ditch from which he was unable to extricate the car on its own power. She said a motorist helped him get the car out but that she was too frightened to ask for help.

The fire siren was blown in Red Lake Falls, a village of 1,500, this morning as a means of alerting the populace for a manhunt. Several hundred villagers and farmers aided Sherif Prouix in setting up roadblocks.

The first break in the case came when Johnson told of giving aid to a stalled motorist who was accompanied by a young girl.

"Face Is the Same"

Sherif Proulx took Johnson to Thief River Falls, 20 miles north of here, where Pennington County Sherif Arthur Ranbeck had taken a man with a reputation for sex aberrations into custody for questioning. Johnson identified the suspect as the stalled motorist.

Confrontation of the suspect by Vivian in the hospital here followed.

"His face is the same," Vivian said. "He is just as tall."

Mrs. Vincent Shannon, mother of Vivian, who was in the room, broke in to caution her daughter not to be afraid.

"I'm not afraid," the girl said. She then asked the man to turn around. "The back is the same," she said, and added, "He is the man."

7863

Woman's Charges Hold Miss. White

The Courier Pittsburgh, Pa.

27h(2)

HATTIESBURG, Miss.—A white taxi driver was held for action of the April grand jury and released on $2,500 bond last week on a charge of assault with intent to rape a young Negro woman passenger.

Sat. 3-5-49

The man, Ray Thomas, 25, of Hattiesburg, pleaded innocent when arraigned before Forest County Judge William Haralson last Monday.

Judge Harolson ordered the man bound over to the grand jury.

County Attorney James Finch said Thomas was arrested Tuesday Feb. 15 after the woman made a complaint that the man attempted to attack her while driving her to work.

27h(2) Sat.

The young woman showed bruises and other evidence of having resisted the white taxi driver's attempt to rape her.

3-5-49

Thomas was first held without charge while an investigation of the incident was made by officers.

Innocent upon arraignment before Forest County Judge William Haralson on a charge of assault with intent to rape a negro woman here last Tuesday.

He was identified by County Attorney James Finch as Ray Thomas of Hattiesburg, 25-year-old father of three children. Judge Haralson ordered Thomas held for action of the April grand jury and set his bond at $2500.

Finch said Thomas was arrested last Tuesday after a complaint was made by the negro woman that the man attempted to attack her while driving her to work. He was held without charge last week while investigation of the incident was being completed.

CORLEY ATTACK TRIAL TO COME UP MARCH 2

27h(2)

Accused Planter Will Face Court At Tunica

Commercial Appeal

Special to The Commercial Appeal

CLARKSDALE, Miss., Feb. 21.—The case of Pinson Corley, planter, charged with attempted rape of a 16-year-old telephone operator of Clarksdale, is set for Wednesday, March 2, in Tunica.

The defense was granted a change of venue early last Summer, when a number of leading citizens of Coahoma County testified it would be impossible for Corley to obtain a fair trial here.

Judge Ed Green will preside. The crime Corley is charged with having committed is reported to have occurred at the Corley Club house at Moon Lake June 7, 1948.

Attorneys for the prosecution will attempt to prove that the girl was given a beating and her arm was broken in the reported attack by Corley. John Crisler, district attorney, announces all witnesses both for the State and the defense are expected to be in court when the case is called.

27h(2) 2-22-49

INNOCENT PLEA ENTERED

White Taxi Driver Charged With Assault On Negro

Commercial Appeal

HATTIESBURG, Miss., Feb. 21.—A white taxi driver Monday pleaded

7994

Employer Accused of Attacking Maid

1-15-49

ST. LOUIS (NNPA)—Arthur E. Johnson a white attorney, was indicted by the circuit court grand jury last Tuesday on a charge of criminal attack, following a complaint made to police by a colored woman, who said Johnson attacked her last Dec. 8, when she was working as a maid in his home.

The woman told police on the day after the alleged attack, that she was working in the bedroom of the Johnson home, when Johnson entered and attacked her.

She said that about 15 minutes later, Johnson's wife entered the room and she was permitted to go to her home, where she told her husband, who advised her to make the complaint.

Wife Supports Suspect

Johnson, 46 years old, told police that he had come home to change his cothes. He said the woman was in the bedroom when he entered and remained there a short while until his wife, Mrs. Dorothy Johnson, arrived in the room. 1-15-49

The Mrs. Johnson and the other woman left, he reported.

Mrs. Johnson confirmed that portion of her husband's statement that pertained to her.

Forcible Rape Charge Is Denied By Prizefighter

St. Joseph, Mo., Feb. 8 (AP).—A charge of forcible rape was filed against Welterweight Vincent Lee Foster, jr., yesterday.

Foster

Foster, 22, is the hard-hitting prizefighter who recently gained wide attention in national boxing circles by knocking out Tony Pellone in New York's Madison Square Garden.

A 22 year-old Kansas City woman signed the complaint. Foster, who is married, denied the charge.

The boxer was arraigned and released under $10,000 bond. Hearing was set for February 23.

Foster was scheduled to meet Charles Fusari in Madison Square Garden February 18 but his manager said he couldn't possibly fight "in his physical and mental condition." In New York, Rocky Castellani, of Luzerne, Pa., was signed today to substitute for Foster.

7995

New England Woodsman Accused in Nurse's Murder

Afro-American
Baltimore, Maryland
Sept 1 49

Word of 14-Year-Old Boy That He Saw the Couple Together Is Main Evidence

OSSIPEE, N.H. — Ralph Jennings, 48, a woodchopper, was given a hearing here Dec. 15 and held for grand jury action on a charge of criminal assault and murder in the death of Ruth Eeisenberg, whose body was found near here last July 21.

The dead woman, who was nurse to the infant child of Mr. and Mrs. Peter Drury of Newtown, Conn., is said to have been on a hitch-hiking tour through New Hampshire when she met her death.

When arraigned, the slender, brown-skin defendant was so weak he could hardly stand. His attorneys charged that police had stripped and blackjacked him in attempts to get damaging admissions. Judge Parker Merrow denied a defense motion to dismiss the case for lack of sufficient evidence.

Boy is Star Witness

The principal witness for the State was 14-year-old James Tibbetts of Rochester, N.H., stepson of Jennings' boss, who testified that on July 21, he saw the defendant in his automobile with a white woman, who was not his wife. Jennings' wife is also white but much older than the slain woman.

According to the boy's story, Jennings smiled and waved at him as he drove by along Route 16, headed northward. The State contends that the woman was Ruth Eisenberg.

An autopsy showed that the victim choked to death as a result of having her panties stuffed down her throat. Her body was found in a shallow grave near the highway. Sept. 1 - 49

NAACP Backs Defense

Arthur J. Reinhart of Portsmouth, N.H., has been retained by the NAACP to assist J. Clifford Clarkson of Springfield Mass., and Joseph LeCount of Providence, R.I., in the defense.

They tried unsuccessfully to have the prosecution fix the time of death, but Judge Merrow again denied their motion.

27h(2) 1949

New Mexico

7996

17-YEAR-OLD ORPHAN

Sheriff Is Indicted In Assault of Girl

27h(2) Like Constitution Atlanta Ga.

LAS CRUCES, N. M.—(UP)—An aroused Grand Jury returned to work on a little-publicized criminal assault slaying last night after taking time out to indict Sheriff A. L. (Happy) Apodaca on charges of rape, drunkenness and "gross incompetency."

Spurred by public demands for a solution to the death of 18-year-old Ovida Coogler, the jury broke its 38-day investigation long enough to place charges against the Sheriff, a 35-year-old former State policeman, and to charge Justice of the Peace Ramon Duran with embezzlement. Sum 6-26-49

The jury already had ordered 10 gambling raids, in which thousnds of dollars worth of gambling equipment were destroyed and operators of private clubs and commercial night spots were accused of violating New Mexico anti-gambling laws. Sum. 6-26-49

The jury was convened last month to make a general inquiry into law enforcement in Dona Ana County after the death of Miss Coogler, a waitress, focused public attention on conditions in the area lying adjacent to Texas, and packed with gambling spots which drew their patrons chiefly from El Paso, Texas, just a few miles away. Sum. 6-26-49

Apodaca posted $3,000 bond and asked that he be removed from office after the jury acted, but answered all questions with a clipped "no comment."

Duran spent the night in jail after failing to make $1,000 bond.

The 11 charges against Apodaca included an allegation that he criminally assaulted 17-year-old Alicia Cejan while the orphan girl was employed as a domestic in the home of a friend of the Sheriff.

Apodaca also was charged with "gross immorality" and accused of trying to seduce another girl, Romelia Camarillo, 15. In addition, he was accused of having participated in gambling in Dona Ana County night clubs, or permitting gambling, of failing to account for money received by his office, of receiving illegal fees from a person charged with a crime, and with "drinking intoxicating liquor while conducting the investigation in the slaying of Ovida Coogler."

Miss Coogler was slain last March. Her partially decomposed body was found in a shallow grave beside the road south of here three weeks after she disappeared. The Grand Jury was called by popular petition.

Sex Probationer Charged With Rape In Hobbs

Adv. Time

HOBBS, N. M., Dec. 20—(AP)—Three girls, 13 to 14 years old, were raped early today at their slumber party. A sex probationer was charged in a criminal complaint with forcing them to submit under threats to shoot them and stab them.

A fourth girl was forced to lie naked but was not attacked.

On clues provided by the girls, handsome Daniel G. Kelley, 27, of Hobbs, was arrested sleeping in a parked truck, charged with two counts of rape and speeded to a jail outside Lea County for safekeeping.

7997

RAPE SLAYER GETS 60 YEARS TO LIFE

Sentenced for sixty years to life after a plea of guilty to a second-degree murder charge in Bronx County Court yesterday, Leroy Payton, alias Hayward, a 20-year-old, six-foot prisoner, raised his arms as though threatening the County Prosecutor and was carried struggling from the court room.

County Judge Samuel Joseph in pronouncing sentence had characterized Payton's rape slaying of Mrs. Doris Connor, 22-year-old mother, as "a cold, ruthless, unspeakable crime" and added that his purpose in giving the sentence was "to obliterate him from society."

Assistant District Attorney Nicholas F. Delagi, whom the prisoner seemed to threaten by his gesture, made a plea for "the longest term" to protect society, referring to Payton as "the most vicious, cold-blooded criminal" with whom he had come in contact in his twenty years in the courts.

Indicted on a first-degree murder charge for the killing of Mrs. Connor in her basement apartment at 866 East 165th Street, the Bronx, on Oct. 7, 1946, Payton pleaded guilty on June 9 to second-degree murder.

He admitted that he had entered the young woman's apartment as she lay asleep with a year-old child in a crib beside her and then struck her on the head with tinsmith's sheers, raped and strangled her. He admitted, too, that he had taken a ring from her finger and $12 from her purse, bound her hands and feet and stuck her head into a bathtub filled with water.

29-Year-Old Father Held For Woman's Death

ROCHESTER, N. Y., July 18—(AP)—William Draper, 29-year-old father of three boys, was held today as the man who raped Mrs. Jennie O'Keefe, 73, and beat her to death in a dark field.

Mrs. O'Keefe, the mother of a Rochester policeman, was killed in suburban Greece Saturday night as she started a two-week vacation from her job as a department store seamstress.

A mysterious telephone call from a woman yesterday led police to the battered body hidden behind bushes about four miles from the slaying scene. Her clothing was torn.

Draper was arrested last night as he started to drive away from his mother's home at Brockport with his wife and three children.

Assistant District Attorney Clarence Henry said Draper denied the killing until he viewed Mrs. O'Keefe's body, then broke down and confessed.

Bridegroom Accused Of Arranging Rape Of His Own Wife

NEW YORK, July 28—(AP)—A bridegroom of 10 months was accused in court today of abetting the rape of his 18-year-old wife, mother of a son born three weeks ago. The accused husband, Saul Israel, 27, was held in $2,500 bail. Frank Mercadante, 25, charged with raping Israel's wife, Eleanor, last night in Claremont Park, also was held in $2,500 bail. Harry Brown, 18, and Henry Romero, 21, who allegedly "stood by" with Israel while she was attacked, were charged with abetting in the rape. Asst. Dist. Atty. David Blatt said Israel and his wife parted a week ago. Yesterday, he said, Israel induced her to walk with him and took her to Claremont Park. Blatt said Mercadante, Brown and Romero "suddenly appeared, and Mercadante grabbed Mrs. Israel by the throat" and raped her. The others "stood by." The prosecutor charged Israel planned the alleged rape in the belief it would "give him grounds for a divorce."

THUG RAPES WIFE OF OPERA SINGER

Victim Surprises Burglar in Her Apartment, He Escapes With $130 and Jewelry

The 43-year-old wife of an opera singer was raped yesterday morning by a burglar she caught ransacking her two-room apartment at 166 East Fifty-sixth Street.

Mrs. Carlo Morelli returned to the fourth floor apartment at 10:30 after shopping in the neighborhood for groceries. In her purse was almost all of the $140 she had just received from a loan company for three rings, a bracelet and several silver dishes.

The door of the apartment was ajar and the lock torn out. Inside Mrs. Morelli saw a short, stocky man about 25 years old. He rushed at her, pulled her into the apartment and slammed the door shut.

The man punched Mrs. Morelli in the face and threatened to kill her. Then he forced her into the bedroom.

"I'm going to jail, anyway," he said.

Taking $130 from the purse, a $130 wrist watch, an antique ring and several small articles from the apartment, the burglar fled down the four flights of stairs. There is no elevator in the building.

Mrs. Morelli told the police of the East Fifty-first Street station that he attacker wore a tan sports jacket and khaki slacks.

The victim is the wife of the Chilean baritone who has sung with the Metropolitan and San Carlo opera companies. He is now on a singing engagement in Mexico. They have one daughter, Marguerita. They have lived at their present address for seven years.

Odd Job Man Accused After Child Assaulted

LAKE PLACID, N. Y., Dec. 16—(AP)—A 28-year-old, odd-job man was charged today with raping pretty, 7-year-old Babbette Wilcox after telling her he was one of Santa's helpers.

State police said George C. Haskin, of Ogdensburg, had signed a statement that he attacked the daughter of a taxistand operator late yesterday in a station wagon. He dumped her in front of her home more than two hours after picking her up, police said.

BABBETTE, bruised and frightened, was placed under a doctor's care at the home of her parents Mr. and Mrs. Horace Wilcox.

Haskin, a slight man who has been digging ditches and doing other laborers' work in this resort village, sobbingly told police he had been drinking, Corp. Harry E. Blaisdell reported.

Haskin waived examination upon arraignment and was ordered held without bail, pending Grand Jury action.

27h (2) 1949

Ohio

7998

Youth Admits Attacking Girl, Killing Officer

Detroit, Mich.
Free Press
10-2-49

Shadow of Church Is Scene of Crime

BLANCHESTER, O. — (U.P.) — Prosecutor George L. Schilling said a 16-year-old ex-reform school inmate, Martin Snell, confessed that he attempted to rape a young girl in the shadow of church steps.

Snell also admitted he coldly shot and killed a policeman who came to her aid, Schilling said.

Snell admitted that he attacked the 13-year-old girl after forcing her to accompany him to the church from a gay street carnival a short distance away where most of the townspeople were frolicking.

• • •

PATROLMAN BURDETTE Lee, 45, discovered Snell and the girl in the darkness of the church steps and ordered them to come out. The youth drew an automatic and fired seven times at Lee.

The sobbing girl had fled across the street.

Police traced Snell through a description given by the girl and a couple who had picked him up as a hitchhiker.

7999

Matron Says Man Assaulted Her in Berth

KLAMATH FALLS, Ore. (UP)—The 36-year-old wife of an atomic plant employee charged yesterday that an unidentified man criminally attacked her as she lay asleep in a lower berth of the California-bound Southern Pacific West Coast Limited, scene of the lower 13 murder.

The train was halted five hours at the Klamath Falls railroad station while Oregon State Police, District Attorney D. E. Van Vactor and Sheriff's officers questioned more than 100 passengers behind locked gates.

State Police Sgt. E. W. Tichenor announced that six men—two Negroes, three sailors and one soldier—had been classified as "material witnesses or suspects." The train and its passengers were held virtually incommunicado from 7:50 a. m. to 12:20 p. m. when it finally was allowed to proceed on its run from Portland to San Francisco and Los Angeles.

The woman was identified by State Police as the wife of an employe of the atomic energy plant at Richland, Wash. She lives in Los Angeles and has two sons.

Negroes, three sailors and one soldier—had been classified as "material witnesses or suspects." The train and its passengers were held virtually incommunicado from 7:50 a.m. to 12:20 p.m., when it finally was allowed to proceed on its run from Portland to San Francisco and Los Angeles.

No Arrest Yet

(When the train pulled into Dunsmuir, Calif., at 3:40 p.m. (PST), special agents of the Southern Pacific told United Press that Klamath County authorities aboard the train had not yet made an arrest.

The woman was identified by state police as the wife of an employe of the atomic energy plant at Richland, Wash.

It was on the same train and only 58 miles from the spot in Lane County, Ore., where Mrs. Martha Virginia James, the blonde, beautiful wife of a Navy ensign, was slashed to death in her Pullman berth. The murderer, Robert E. Lee Folkes, youthful Negro dining car cook, was convicted and executed in the Oregon gas chamber in 1945.

Just 58 Miles Away

The woman in today's case told authorities she was raped as the train passed through Lowell, Ore., 18 miles southeast of Eugene. The "lower 13" murder occurred at Tangent, Ore., 40 miles north of Eugene.

Sgt. Tichenor gave this version of the woman's story [illegible]

She had retired before midnight and was sleeping soundly in her lower berth on Coach No. 151. She awoke to find that an unidentified man had entered her berth and was criminally assaulting her. This was 2:15 a.m.

"She screamed and told the man to get out. The man jumped out of the berth and ran down the vestibule."

"Shortly before the assault," Sgt. Tichenor said, "two sailors occupying the berth across from the woman saw a man with a flashlight near [illegible]

detectives and naval shore patrol members also met the train but both later withdrew from the questioning. The detectives said they lacked jurisdiction in the case inasmuch as the attack reportedly took place in Oregon. The railroad police continued their questioning.

J. J. Finneran, divisional special agent of the line, said the sailors were in the same sleeping car as Mrs. C. W. Holmes, 35, of North Richland, Wash. Mrs. Holmes reported she was raped by a man who crept into her berth as the train sped through Oregon early yesterday morning.

Finneran said that the sailors, whose names were withheld, denied any knowledge of the attack.

Woman Attacked In Train Berth

Alleged Rape Occurs Just 58 Miles From Lower 13' Murder Site

KLAMATH FALLS, ORE. Jan. [illegible] (U.P.)—The 36-year-old wife of an atomic plant employe charged today that an unidentified man raped her as she lay asleep in a lower berth of the California-bound Southern Pacific West Coast Limited, scene of the famous 1943 "lower 13" murder.

The train was halted five hours at the Klamath Falls railroad station while Oregon state police, District Attorney D. E. van Vactor and sheriff's officers questioned more than 100 passengers behind locked gates.

State Police Sgt. E. W. Tichenor announced that six men — two

Sailors Quizzed In Reported Rape

LOS ANGELES, Jan. 18—(AP)—A small army of railroad police today questioned two sailors in [illegible] old Pullman berth aboard the speeding Southern Pacific West Coast Limited.

More than a dozen railroad police whisked the sailors into a room of Union Station upon the train's arrival. Los Angeles city

8000

Youth, 16, Tells of Slaying Boy, 12, With Pair of Scissors

Philadelphia, Jan. 9 (AP)—A 12-year-old boy was found slashed and battered to death behind a garage in the fashionable Wynnefield section today.

Sixteen-year-old Seymour Levin was arrested several hours later and charged with homicide in the killing of Ellis Simons.

George F. Richardson, assistant superintendent of police, said the slim, bespectacled Levin—a student at a select private school—made an oral statement admitting the slaying.

Richardson quoted Levin as saying that he now will miss his chance "to be a doctor. . . . I guess I'm done for. Now I guess I'll go to the electric chair."

Ellis' body was found clothed only in a pair of shorts. Richardson said he apparently was slashed to death with a long-bladed pair of scissors, stripped of his clothing, trussed hand and foot, and dragged through the Levin house to the rear of the garage.

Detective Lieutenant Ervin Mock said blod smears and bloody fingerprints throughout the second floor of the Levin home indicated that young Simons "put up a terrific struggle before he died."

Levin will be given a hearing tomorrow at Municipal Court.

Detectives probing through Levin's room later found a host of comic books dealing with crime.

Police said that Levin posed willingly for photographers and then told them: "See that my picture gets on the front page."

Ellis Simons, a stockily built blond, was preparing for his Bar Mitzvah—Jewish confirmation ritual—at the time of his death. His father, a World War II veteran, is a salesman.

Young Simons had been reported missing by his parents after he failed to return home after yesterday's Mummers' parade.

The police officer said Simons was "apparently the victim of a [illegible]"

Man Grilled In Sex Slaying

PITTSBURGH, Nov. 26—(AP)—Police Saturday questioned an unidentified suspect a few hours after the discovery of the battered body of a 38-year-old woman in Pittsburgh's East End.

The body of Jean Brusco was found grotesquely sprawled in the rear of a house across the street from her home. Police said evidence indicated she had been raped.

The grisly discovery followed a police search of the area spurred by a report that she had been slugged and taken away in a car by a strange man.

Police said the suspect was picked up at the murder scene. They said there was blood under the man's fingernails and on his shirt. He insisted he was injured in a fall.

The attractive sales girl's head was crushed, her eyes blacked and her clothing disarranged. Officers said repeated blows by a blunt instrument probably caused her death.

Pennsylvanian, 72, Accused of Raping 13-Year-Old Girl

Scranton, Pa., July 20 (AP)—A [illegible]-year-old man is in jail today, charged with [illegible] 13-year-old girl who recently gave birth to twin boys after a Caesarean-

8001

Two Men Surrender In Bizarre Slaying

Birmingham News

COLUMBIA, S. C., Jan. 1 (AP)—Two young men, charged with the Christmas Eve rape-slaying of a Connecticut woman, surrendered to police here yesterday, saying they were tired of running.

Connecticut officers were expected today to return Joseph Therrien, 22, and George St. James, 18, to face charges of manslaughter, aggravated assault and unlawful flight to avoid prosecution. Both are of Bristol, Conn.

Detective G. L. Lackey said the pair admitted strangling Mrs. Lillian Rich Brackett, 42, of Plainville, Conn., but denied raping her.

The men said they were "in a place drinking beer and the woman was there raising a disturbance. They took her outside to quiet her, but strangled her in the process," Lackey said they told him. They agreed to waive extradition.

Girl's Brother Slugs Suspect During Hearing

Atlanta Constitution

COLUMBIA, S. C.—A 22-year-old law [illegible] was in jail here yesterday on an attempted rape charge after weathering a courtroom attack by the girl's brother.

(27h(2))

Charles E. Smith, of Darlington, freshman law student at the University of South Carolina, was accused by the girl of attempting to criminally assault her, then forcing her to have unnatural relations with him.

Mon. 5-16-49

Atlanta Ga.

Her brother lunged past several persons and started pummeling Smith as City Recorder John I. Rice took testimony in a closed hearing.

Mon. 5-16-49

The brother was forcibly restrained, then escorted from the room after which he collapsed briefly, police court attaches said.

Smith vehemently denied the charges. He and his roommate told Rice he was at his room studying Wednesday night at 9 p. m., the approximate time of the alleged attack on the 24-year-old Columbia office worker.

Mon. 5-16-49

The girl said she was forced into a deserted area, the University arboretum near the campus. She said in her complaint that Smith had asked her to go to a movie and they were on their way when the alleged attack took place.

8002

Woman Claims Rape By Both White And Negro On The Same Evening

A Negro woman approaching middle age alleged that she was raped last week by a white trolley bus driver and later by a Negro man who apparently came to her rescue.

The self-declared rape victim identified herself as Mrs. Laura Stayhorn Garland, 34-years-old, who resides at 1818 Farrington St. She is separated from her husband Clarence Garland.

The woman told police and her family that she was enroute home on a motor bus around 12:30 Friday night. She said the vehicle, emptying as it neared the end of its run (it was a Number Seven "Crosstown Bus," she said) was soon left with only herself and the white bus driver aboard. She charged that the man began talking familiarly to her as they neared the end of the "run." She later told acquaintances that he offered her five dollars to indulge in an affair with him. She said she refused. She said that the driver then forced her to leave the bus, go over into an adjoining field, where he proceeded to assault her.

She also told officers that during the course of the motorman's assault, a Negro man walked up and approached them... attracted by her outcries. She said the motorman ran and jumped on his bus, after he had talked with the colored man.... who, allegedly told the motorman, that if he would let the woman (Mrs. Garland) go that he would see that she safely reached her destination [illegible] of her friends in the [illegible] area.

The woman told police that the un-named [illegible] "rescuer" walked with her a short distance from the scene of the first assault. And, then, upon reaching a vacant field, demanded that she go over in to the field. She said the colored man drew a knife and forced her to go into fiel. [illegible] too, assaulted her. Following the assault, her the Negro reportedly gave her pocketbook and showed her the way to get to the home of one of her fellow church members, who lived not so far away. She went to the home of this [illegible] and reported what had occurred. He called police, who conducted investigation, summoned an ambulance which took the [illegible] woman to John [illegible] Hospital. After treatment there, she was dismissed.

Results of police investigation of the case have not been stated.

Parolee Is Arrested In Tennessee Accused Of Assault In Texas

TRANCY CITY, Tenn., Dec. 24—(AP)—Sheriff J. M. Meeks said today he had turned over to Texas officers a 30-year-old ex-convict accused of raping a 16-year-old Orange, Tex., high school girl and shooting her male companion.

Meeks said he arrested Paul J. Lafleur at nearby Palmer, a coal mining community in this Cumberland Plateau country of Southeast Tennessee Friday.

Lafleur, a convict paroled from state prison, is charged with assault with intent to murder and with rape.

On Dec. 4, Jack Hulsopple, 18, was shot in the stomach, and his 16-year-old girl companion was raped by a man who approached their automobile on a country road near Orange.

HULSOPPLE, a golden-gloves boxer, resisted when the man pointed the pistol at him. After the boxer was shot, the girl was raped.

The sheriff's office at Orange said Sheriff Chester Holts and a policeman, Alton Williams, had "gone to Tennessee." Williams went along "to help Holts drive," the office said, and the spokesman refused to comment further.

Hulsopple is recovering from his critical injury.

Lafleur, paroled from prison, was under a nine-year sentence for burglary from Harris County.

27h (2) 1949

Texas

8803

Four Men Arrested On Rape Complaint

Houston, Texas, July 29 (AP)—Four persons have been arrested following the complaint of a 14-year-old girl that seven men raped her.

Those arrested include 19 and 20-year-old men and two youths, 15 and 16. The girl said she was raped nine times.

8004

4th Man Seized In Rape of Wife Of Va. Merchant

Martinsville, Va., Jan. 10 (AP).—Seven men, ranging in age from 18 to 37, were charged here today with raping the 32-year-old wife of a Martinsville store manager.

Police Chief H. W. Stultz and State Police Sergt. James H. Barnes said all had orally admitted the attack and implicated one another in the assault which occurred in an isolated section of East Martinsville, early Saturday night.

Those under arrest were Frank Hairston, Jr., 18; Joe Henry Hampton, 19; James Luther Hairston, 20; John Clabon Taylor, 21; Francis Des ie Grayson, 37; Howard Lee Hairston, 18, and Booker T. Millner, 19, all of East Martinsville.

Stultz and Barnes said all suspects had been arrested and have given officers the facts in the case. At first it had been reported to the police that 13 men were involved in the attack.

Rape Charge Trial Of Arlington Man Is Continued

Trial of a rape charge against William Alexander Martin, 21, of 2648 Jefferson Davis hwy., Arlington, was continued until June 7 yesterday in Arlington County Court.

The suspect is accused of raping a 17-year-old county girl while police were hunting him in connection with an earlier rape charge in Fairfax County involving a 55-year-old woman.

Both Arlington and Fairfax police said Martin had admitted both counts. The case in Fairfax Trial Justice Court is continued until Friday.

Man Accused Of Raping 15-Year Old Blind Girl

NORFOLK—A 15-year-old blind girl told police that she was raped in her home in the 400 block of Olney road Tuesday by a 30-year-old [illegible]. A charge was placed on the docket of the Ju-venile and Domestic Relations Court charged with the crime was Robert Conn, who, police state admitted being in the girl's home, but denied having raped her.

Authorities at Norfolk Community Hospital where the girl was examined said she showed signs of having been raped.

The alleged victim said she was at home alone when the man came. She stated that she recognized the man's voice as someone she had known for several months. The girl makes fabric and leather belts and said the man asked for one.

When she got up he put his arms around her, she said. She pushed him away, she added, and he placed a knife against her side and forced her into a corner where he assaulted her.

The girl figured in a statutory rape case on June 15, when she was 14 years of age. James Linwood Bond was dismissed on that charge in Corporation Court.

3 Marines Held In Assault Case

FAIRFAX, VA., Oct. 22 (AP)—Three Marines, stationed at the Quantico, Va., base (two of whom are Alabamians), are being held in $5,000 bail each by Fairfax County police in connection with the reported rape of a 19-year-old Washington girl.

Police quoted the girl, whom they described as a former government worker, as saying she was attacked after accepting an offer by the three to take her home from a restaurant.

A charge of rape was placed against Pvt. Arvel Avery Nichols, 21, and that of sodomy against Pvt. Robert F. Ragland, 23. The third, Pfc. Donald E. Michen, 21, was held as a material witness.

Police said Ragland and Michen identified themselves as natives of Alabama, and Nichols, of Thomasville, N. C.

Went on Date

Was Raped, Girl, 14, Says; Sailor Held

An 18-year-old sailor was being questioned last night by Fairfax County police after a 14-year-old Vienna, Va., girl sobbed out a story that he raped her.

The alleged attack was said to have occurred at about 7:30 p. m. on Hunter's Mill rd., about 10 miles west of Vienna in Fairfax County.

Within an hour police had picked up the suspect, also of Vienna, who was home on leave from the Patuxent River Naval Base.

County police said the girl told this story:

She knew the boy. He picked her up yesterday when she left Fairfax High School, where she is a student, then drove to Hunter's Mill rd.

She said he forced her to get into the back seat of the car.

In the midst of the assault she used a ruse to escape from the car, then ran through brush about 150 to 200 yards to the nearest house. Her body bore scratch marks from the brush.

At the house she told her story and police were notified.

County police took the girl to the office of Dr. Nelson Podolnick, Fairfax County cororner, for examination and treatment.

8005

Young Wife Is Seized, Raped by Six Youths

Chehalis, Wash., Nov. 29 (AP)—A young wife said yesterday she was seized Sunday by six youths, raped, and tossed nude into the Cowlitz River.

The story touched off a widespread search for her assailants.

Sheriff Frank Thayer said the report[illegible] Mrs. Josephine Huss, 22, Chehalis, who was visiting in near[illegible]ledo.

A Careful Examination Is Needed of 'Lynchings' Reported by Tuskegee

By HODDING CARTER

Editor Delta Democrat-Times
Greenville, Miss.

IF LYNCHINGS ARE TO BE defined according to Tuskegee institute's listings of the incidence of this hideous crime for 1949, then there were more lynchings in Harlem than in the entire South and very probably more lynchings of white people by Negroes than of Negroes by white mobs.

I don't like to say this, but it needs saying. The fine Negro school's annual report on lynchings appears more political than factual this year, and it should be examined.

The institute described three lynchings for 1949, "one more than the number two for 1948, two more than the number one for 1947, and three less than the number six for 1946." Actually, unless lynchings are redefined to include all murders committed by three or more people, it is grossly misleading to cite two of the three listed slayings as lynchings.

Let's look at them. Two were reported from Georgia and one from Mississippi. One of the Georgia murders was certainly a lynching. A 28-year-old Negro was removed from a jail and beaten and shot to death. In the other Georgia murder, a Negro landowner was found dead with a number of bullet holes in his body, after an argument with a group of white men who were fishing in his pond. In the Mississippi murder, a Negro farmer was beaten to death by three white men who accused him of "hogging the road."

MURDERS, NOT LYNCHINGS

Outrageous murders that demanded punishment, yes. Lynchings, no; not by any fair definition of the crime which the South has all but eradicated, but useful as ammunition in the effort to have a federal antilynching law enacted. A lynching has historically been distinguished from other murders by groups of men in that the perpetrators deliberately planned to murder in order to punish a real or fancied offender or to terrify a part of the citizenry. The crime is deliberate, premeditated and vengeful in nature.

If three drunken motorists who beat an innocent Mississippi Negro to death constitute a lynch mob, so do any three hopped-up muggers in Harlem who murder an innocent pedestrian. If the Federal Government should intervene in the Mississippi murder it should likewise intervene in any murder in which three or more killers take the life of a victim of their own or a different race.

More crimes of violence are committed by Negroes against whites in the North and the South than by whites against Negroes in the North or the South. The reason is economic and social rather than racial; but the figures still stand, so why not turn over to Uncle Sam all murder prosecutions except those in which only one or two wrongdoers are involved?

TO KEEP RECORD STRAIGHT

Moreover, the Tuskegee report said that only in the one of the two Georgia incidents was any attempt made to punish the offenders. As a matter of record, the three Mississippians are out under bond awaiting trial; and moreover, the feeling against them in the county was so intense that the defense attorney found it expedient to ask for a change of venue, which was granted.

I would vote to convict a white slayer of a Negro as readily as I would vote to convict a Negro slayer of a white man. I would vote to convict the members of a lynch mob as readily as I would vote to convict any other murderers. But it is morally wrong to muddy the waters by listing any murder of a Negro by three white men in the South as a lynching, and not likewise list any murder of a white man or Negro by three Negroes in Harlem, or by any three persons anywhere.

More is at stake here than the passage of a federal law aimed at an indefensible and declining crime. The rights and responsibilities of states and communities as to the protection of their citizens are in precarious balance. The underlying causes for Harlem muggings and Mississippi murders are alike being lost sight of in a punitive and political assault upon a vital concept of constitutional democracy.

Looking at the South

A Broad Definition of Lynching

By Hodding Carter

GREENVILLE, MISS. — If lynchings are to be defined according to Tuskegee Institute's listings of the incidence of this hideous crime for 1949, then there were more lynchings in Harlem than in the entire South and very probably more lynchings of white people by Negroes than of Negroes by white mobs.

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One Conceded

LET'S LOOK AT THEM. Two were reported from Georgia and one from Mississippi. One of the Georgia murders was certainly a lynching. A 28-year-old Negro was removed from a jail and beaten and shot to death. In the other Georgia murder, a Negro landowner was found dead with a number of bullet holes in his body, after an argument with a group of white men who were fishing in his pond. In the Mississippi murder, a Negro farmer was beaten to death by three white men who accused him of "hogging the road."

Outrageous murders that demanded punishment, yes. Lynchings, no; not by any fair definition of the crime which the South has all but eradicated, but useful as ammunition in the effort to have a Federal anti-lynching law enacted. A lynching has historically been distinguishable from other murders by groups of men in that the perpetrators deliberately planned to murder in order to punish a real or fancied offender or to terrify a part of the citizenry. The crime is deliberate, premeditated and vengeful in nature.

If three drunken motorists who beat an innocent Mississippi Negro to death constitute a lynch mob, so do any three hopped-up muggers in Harlem who murder an innocent pedestrian. If the Federal Government should intervene in the Mississippi murder, it should likewise intervene in any murder in which three or more killers take the life of a victim of their own or a different race.

The Federal agents would be a lot busier outside the South in such case than they would be in the South. More crimes of violence are committed by Negroes against whites in the North and the South than by whites against Negroes in the North or the South. The reason is economic and social rather than racial; but the figures still stand, so why not turn over to Uncle Sam all murder prosecutions except those in which only one or two wrongdoers are involved?

Moreover, the Tuskegee report said that only in one of the two Georgia incidents was any attempt made to punish the offenders. As a matter of record, the three Mississippians are out under bond awaiting trial; and moreover, the feeling against them in the county was so intense that the defense attorney found it expedient to ask for a change of venue, which was granted.

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More is at stake here than the passage of a Federal law aimed at an indefensible and declining crime. The rights and responsibilities of States and communities as to the protection of their citizens are in precarious balance. The underlying causes for Harlem muggings and Mississippi murders are alike being lost sight of in a punitive and political assault upon a vital concept of constitutional democracy.

THREE LYNCHINGS IN UNITED STATES SAYS NEW YEAR'S REPORT ISSUED BY TUSKEGEE INSTITUTE

Beach Dispatch

14 Mobs Frustrated by Citizens and Law Enforcement Officers Says Report

NO PERSONS PUNISHED FOR MOB VIOLENCE

271 Report on Sent Press

TUSKEGEE INSTITUTE. — (ANP) — There were three lynchings in 1949, it was reported last week by Tuskegee Institute. Two of the lynchings occurred in Georgia, and one in Mississippi.

The victims were Caleb Hill Jr., 28, Irwinton, Wilkinson county, Ga.; Malcolm Wright, 45, Houston, Chickasaw county, Miss., and Hollis Riles, 53, Bainbridge, Decatur county, Ga. All three were Negroes.

No persons were punished for the lynchings. Two persons were jailed for the Hill murder, but never went to trial because of "insufficient" evidence.

"Although there are three clear-cut cases of lynching reported for 1949 according to criteria now used, attention should be called to other killings which according to all intent and purpose would seem to fall into this category.

"These includede murders reported as being committed by less than three persons, killings by specially deputized posses who in some instances appear to be composed of irresponsible persons bent not on upholding legal institutions but on vengeance, prisoners meeting violent death in jails after confinement, and police brutality."

At least 14 lynchings were prevented, according to Tuskegee's report, as follows: four in the north and 10 in the south. In one case an intended victim saved himself by leaping into a river. In the other cases law officers gave the intended victims protection. In these cases 6 persons were white, and 11 [illegible]

Hill was lynched after a group [illegible] jail, beat him and shot him to death.

Wright was attacked by a group of white men because he "hogged the road" with his wagon. They were riding in an automobile. Then grabbed him and beat him to death because he did not move to the side fast enough to let them pass.

In the third case Riles, a prosperous landowner, was found riddled with bullet holes after an argument with some white men who were trespassing on his property fishing.

In [illegible] there were two lynchings and one in 1947. Dr. F. D. Patterson, president of Tuskegee, in this report warned, however, that this index [illegible] as accurate as might be.

Tuskegee Records Show 3 Persons Lynched in 1949

Guardian 1-21-50

Report on sent press

TUSKEGEE INSTITUTE, Ala. —According to records compiled in the department of records and research, Tuskegee Institute, three persons were lynched during the year of 1949. The total is one more than the number two for 1948; two more than the number one for 1947; three less than the number six for 1946; and two more than the number one for 1945. For the five-year period, 1945-49, 13 lynchings have been recorded.

Boston

One of the victims was Caleb Hill, Jr., 28-year-old colored chalk mine worker of Irwinton, Wilkinson County, Georgia, charged with creating a disturbance and resisting arrest. Lodged in jail, he was removed by a group of men, beaten and shot to death.

The second victim was Malcoln Wright, 45-yr.-old colored tenant farmer of near Houston, Chicasaw County, Miss., who is reported to have 'hogged the road' and of not moving his wagon over fast enough to permit a group of white men, riding in a motor car, to pass. He was beaten to death.

The third victim was Hollis Riles. 53-year-old prosperous colored land-owner near Bainbridge, Decatur County, Ga., found dead with a number of bullet holes in his body after an argument with a group of white men, who had been fishing in his pond without permission. It was reported that sometime previously Riles' home had been riddled with buckshots fired from an automobile.

The states in which lynchings occurred and the number in each state are: Georgia, 2;- Mississippi,, 1.

The two men jailed in connection with the lynching of Caleb Hill, Jr., were later freed for lack. of sufficient evidence to bring them to trial.

In at least 14 instances, lynchings were prevented—four in the North and 10 in the South. One person escaped from a group of men bent on lynching him by jumping into a river; in the 13 other instances, officers of the law gave protection. A total of at least 17 persons were thus saved from mob violence. Of these, six were white persons and 11 were Negroes, Presidnt F. D. Patterson, informed.

Tuskegee Refuses to Delete One From List of Lynchings

Afro-American

TUSKEGEE, Ala. (ANP) — A plea by a Mississippi legislator to have Tuskegee Institute alter its lynching report for 1949 was denied last week by the school. Dr. F. D. Patterson, president, said the school refused to reduce the number of lynchings by one at the request of Rep. Abernethy of Mississippi.

1-23-50

Abernethy wanted the murder of Malcolm Wright in Chickasaw County, Miss., to be scratched off the list. Dr. Patterson pointed out that Tuskegee terms a lynching as the slaying of a person in which "three or more persons take the law into their hands and deprive another of his rights without due process."

Tuskegee Reports on '49 Lynchings

TUSKEGEE — According to records compiled in the Department of Records and Research at Tuskegee Institute, three persons were lynched during the year.

This is one more than the number, two for 1948; two more than the number, one for 1947; three less than the number, six for 1946; and two more than the number, one for 1945.

Thus, for the five-year-period, 1945-1949 inclusive, 13 lynchings have been recorded.

One of the victims was Calif

Caleb Hill Jr., 28, a chalk mine worker of Irwinton, Wilkinson County, Ga., who had been charged with creating a disturbance and resisting arrest.

Lodged in jail, he was removed by a group of men, beaten and shot to death.

'Road-Hog' Beaten to Death

The second victim was Malcolm Wright, 45, tenant farmer of near Houston, Chickasaw County, Miss., who is reported to have "hogged the road" and not moved his wagon over fast enough to permit a group of white men, riding in a motor car, to pass. He was beaten to death.

The third victim was Hollis Riles, 53, prosperous landowner of near Bainbridge, Decatur County, Ga., who was found dead with a number of bullet holes in his body after an argument with a group of white men, who had been fishing in his pond without permission.

It was reported that sometime previously Riles's home had been riddled with buckshot fired from an automobile.

And No One Pays

Two men were jailed in connection with the lynching of Hill, but were later freed for lack of sufficient evidence to bring them to trial. No action was taken in the other two cases.

In at least 14 instances, lynchings were prevented—four in the North and 10 in the South. One person escaped from a group of men bent on lynching him by jumping into a river; in the 13 other instances, officers of the law gave protection.

A total of at least 17 persons were thus saved from mob violence. Of these, 6 were white persons and 11 were colored.

Just Not Called Lynchings

Although there were only three clear-out cases of lynching reported for 1949 according to criteria now used, attention should be called to other killing which according to all intent and purpose would seem to fall into this category.

(EDITOR'S NOTE: In addition to the three cases reported by the Tuskegee research department, AFRO records reveal that two other persons, possibly four, were lynched during the year.

The fourth victim was Sam Terry, who was lynched in a jail in Grantville, Ga., in March. The fifth, Ernest Thomas, who met his death in the Groveland, Fla., swamps in July.

The other two borderline cases involve two men who were beaten and thrown into a river in Macon, Ga., in April. These figures bring the AFRO total to seven, five to say the least.)

Lynching Statistics

"Won't you walk into my parlor, said the spider to the fly."

Down in the Bible belt of America, where the mob controls, there is much deceit and false representation exhibited just now with the announcement by Tuskegee institute that only three victims died at the hands of lynchers during 1949. "Just think of it! We only took constitutional guarantees of life and personal safety from three black citizens. The rest of you thirteen million Negroes should fall upon your knees and praise southern white people," proudly declaim a number of southern dailies as they conjure with murder statistics attempting to prove the nation does not need a federal anti-lynching bill. Black Dispatch

Be not deceived by those who seek to throw a halo of virtue over violence and murder occurring in this nation. The very fact that southern law enforcement agencies and the courts failed to convict a single one of the infamous and criminally-minded whites who snuffed out three lives shows that nestling in the heart of the Bible belt there is positive sentiment supporting the mob. We got rid of the kidnaper almost overnight and affixed the penalty of death when degeneracy sought to attack the rich, and we discovered that it was constitutional to inflict federal penalties for the kidnaper. Why is it constitutional to protect the rich individual (invariably white) with federal law and unconstitutional to protect the poor? No one argued that kidnaping would die out if one had the patience to wait. America stamped out the kidnaper overnight when property rights became menaced. Is it true that in America we place property rights above human rights? Sat. 1-14-50

But the folk who purr just now and would have you feel that lynching is dying out want you to accept government by compromise. They do not want government by law. They want no legal controls to bind vicious invisible government that sets aside law and order on the slightest provocation whenever the interests of white and black become entangled. That is the reason why they seek to hide the unholy infamy of the mob behind its 1949 record. We think all unbiased persons who want to properly evaluate the mob should see the lyncher at his worst—not at his best. When one surveys the inhuman, unspeakable, barbarous record of the mob across the years since Lincoln's freedom, there is no one who can condone its barbarity and insane cruelty. Oklahoma City, Okla.

Aside from the shameful record of three murders of defenseless blacks in the year that has just passed, Tuskegee records compiled in 1926 show that ungodly white mobs, fanned by race prejudice, between the years of 1889 and 1915 (27 years) snuffed out the lives of 3,165 southern Negroes. The above figures give one a better picture of the marble-hearted, calloused conscience of the lyncher, and it is safe to say that these figures are not authentic when we know that for centuries the plantation owner was a law unto himself, and lives in a section of the United States where at the time just mentioned there were no registration areas for whites or blacks. We think it is safe and conservative to say that in the past eighty years the lives of five thousand black men and women have been sacrificed via rope and faggot.

The lull that has come in the lynching evil results from skillful maneuvering of Dixiecrats who are attempting to ward off anti-lynching legislation. They assume that an alert and conscience-stricken nation will fall asleep under the aegis of their temporary but voluntary indulgence. But as we said a moment ago we do not want government by compromise. We want government by law. Right at the present moment there is mounting endeavor on the part of southerners to aver that Negroes are disloyal to the country. Just as the mob sought in the past to prove that the Negro was a rapist, it now endeavors to present the black man who demands civil rights as a radical, who is heeding the commands of some foreign government. Just how far this effort will go to drive the masses into a fit of hysteria and rage against the blacks is not yet known. It is conceivable, however, that in a national crisis, unless some definite halt is given to the authority and absolutism of the mob there is grove danger the public mind might become again convulsed in a pattern of race hate and more inhuman pogroms committed than in the past.

President Truman has openly declared that he will demand legislation to halt the mob in the present congres. Do not allow Oklahoma congressmen to talk about the 1949 record when you discuss this matter with them. Talk about the entire record the mob has made in this country. Only in this way can we approximate the savage onslaught of the mob made against the black man in this country. Just think of it! During the 27-year period we referred to above, Tuskegee recorded that 431 Negroes were lynched in Georgia and 400 in Mississippi; 289 in Texas and 266 in Alabama. The mobbists tell about Virginia passing a law against lynching. Why have they not also done this? Measured by the yardstick of the states just named, Virginia has not been as violent against the Negro as the others. The record shows Virginia has lynched only 74, while Oklahoma during that same period lynched 40 Negroes.

No, Sir-e-e-e! We do not care to leave such important matters up to the election of an aroused conscience. The safety of the black man resides more securely in the precincts of the law. The NAACP has compiled some statistics to show that the mob today has gone underground, and that it still exists in all of its violence and rage. It should be recalled right here in Oklahoma after apprehending the mob that lynched Jake Brooks, packing house worker, an Oklahoma governor showed compassion for the mobbists and freed every one of them from the Oklahoma penitentiary. We think the best index to the mob spirit still existing in the South rests in the unwillingness of southern juries to convict red-handed murderers of blacks. Every white jury and every white community refusing to convict and penalize apprehended members of mobs, are accessories after the fact. It is the terroristic method by which the Negro is driven and held in the gutter of second-class citizenship. If Negro citizens are to have freedom from fear the law and social justice must strike terror into the ranks of unlicensed brutal mob rule.

The Lynching Survey

Along about the first of every year Tuskegee Institute regularly makes its contribution to the filibuster against the passage of a Federal Anti-Lynching Law. The institute gets together its newspaper clippings from the daily papers, calls it a survey or something and then sends it off to the same newspapers from which the clippings were clipped. Ghastly

Most of the newspapers — thus served with a reminder of what they had printed then write pious editorials on lynching, treating this form of lawlessness as something not quite as horrible as playing the numbers.

And so, armed with the notable "survey" from Tuskegee Institute an Alabama Congressman and Senator can rise in their place and say that every day in every way "we are getting better and better" and there actually is no need now of an anti-lynching law. Fact is, they will say, if a Federal law against lynching is passed it will so infuriate the lynchers that they will go on a rampage and lynch more of the dark-complexioned taxpayers than if left undisturbed by any threat of punishment for the crime of lynching.

Lynching in the South, say the patrons of the Tuskegee "survey," is not half as bad as gangster killings up North and therefore the South ought not to be deprived of the pastime of lynching as long as the North may indulge in gang killings.

Our recollection is that "Murder, Incorporated" got snuffed out in a New York electric chair for its gang killings, which is a 100 per cent better record than anything done to thwart lynchings in the Deep South. Tuskegee Institute and the glorifiers of its "survey" point with pride this year to the fact that New York had more "attempted lynchings" than any other State.

New York can retort with the statistics which show that since 1882 New York has lynched one colored and one white citizen. Total, 2.

Since 1882 Alabama has lynched 47 whites and 299 Negroes. total 346.

Three Lynchings Too Many

Dr. Frederick D. Patterson, President of Tuskegee Institute, through the school's department of Records and Research, announced this week three lynchings for the past year. "This is one more than the number two for 1948 two more than the number one for 1947 and 1946, and two more than the number one for 1945," states Dr. Patterson.

Georgia, according to the figures, contributed two of these lynchings, while Mississippi contributed the other. Thus, for the five-year period from 1945 to 1949, 13 lynchings have been recorded.

Technically speaking, there should be other lynchings than the ones listed by Tuskegee. No mention is made of a 70-year-old man and two others, who were slain in a Macon, Georgia swamp last Spring. Again, no mention is made of a Negro tenant farmer in Mississippi only six weeks ago, who was reported shot to death outside of his home by law enforcement officials, who claimed he was apparently dissatisfied with the share he had received from his year's farming.

The record on its face, may indicate a slight decline in lynchings in the South. But as Walter White has said on many occasions, lynchings are really not declining as such, they are going underground in the form of official slayings by law enforcement officers, taking place in jails and otherwise in the hands of the law.

And thus, so long as there is a single lynching in the South all America stands to lose in prestige and influence. Repeatedly, the South has received a blackeye from northern jurists and governors who have refused extradition of escaped Negro prisoners because of such sordid stories as the Mallard murder trial, the Rome floggings and hundreds of other stories, which fail to command so much as a trial in many communities. The South needs to improve in its treatment and conduct toward the Negro, and if America hopes to reclaim its influence abroad, it too, must offer greater citizenship protection to Negroes by passing the Civil Rights program endorsed by both the Democratic and Republican Parties.

OTHER Papers Say

1949's Few Lynchings Can Lead To Very Faulty Conclusions

(From the Washington, D. C. Post)

TUSKEGEE Institute's year-end report on lynchings during 1949 suggests the easy conclusion that this peculiarly odious—and peculiarly American—evil has been pretty well overcome. Three persons lost their lives by mob action in the course of the year. This compares with two during 1948, one during 1947, six during 1946 and one during 1945. Thus, for the five-year period, 1945-49, 13 lynchings have been recorded. By contrasting this with the five-year period, 1900-1904, during which 519 lynchings occurred, the recent record looks very favorable.

Nevertheless, there lies behind this record a background in which deprivation of due process and denial of the equal protection of the laws are discernible as still the lot of Negroes in the South. One of the past year's victims was a young Georgia Negro charged with creating a disturbance and resisting arrest; lodged in jail, he was removed by a group of men, beaten and shot to death. The second victim was a Mississippi Negro tenant farmer reported to have "hogged the road" and failed to move his wagon over fast enough to permit a group of white men riding in a motor car to pass; he was beaten to death. The third victim, a Negro landowner in Georgia, was found riddled with bullets after an argument with a group of white men who had been fishing in his pond without permission.

The lynchings were few in number. But no doubt they were powerful in effect. No one can calculate their impact in terms of intimidation and repression of Negroes, or in terms of their corruption of the whites who enjoy the spurious supremacy they help to enforce. There can be no great gratification over the record until the threat of lynchings, as well as lynchings themselves, is wholly extirpated from American life. No lynchers were convicted for participation in the 1949 lynchings.

The record of lynchings avoided by resolute law-enforcement officers is more heartening. In 13 separate situations, 6 white persons and 11 Negroes were saved from mob violence by police who accorded them the protection to which they were entitled under the law. Firm acceptance of responsibility on the part of the police for the protection of prisoners in their custody is, of course, the key to the lynching problem. Too often in these cases the police are actual accomplices of the mob. Respect for the law must begin with them.

Georgia Leads Lynchers

The unenviable position of being No. 1 on America's lynching parade again goes to the State of Georgia, according to records just released by the Department of Records and Research at Tuskegee Institute for 1949.

Tuskegee lists three lynchings for the year just passed—two of which were committed in Georgia. Last year Tuskegee listed two such crimes.

AFRO records, however, list a total of five lynchings for 1949 and two deaths so close to the borderline that they might be classed as lynchings.

The AFRO listing keeps Georgia ahead with 3, with one each for Florida and Mississippi. The additional victims, not listed by Tuskegee, were Sam Terry, who was slain by a mob in the jail at Grantville, Ga., and Ernest Thomas, who was a mob victim at Groveland, Fla.

Although Tuskegee listed but one lynching in 1947, the AFRO listed eight more slayings which had all of the earmarks of lynching. Seven were charged to Georgia.

There are those who will argue that there is no need for a Federal antilynching law as long as there are not more than two or three lynchings a year.

It is our contention, however, that a strong Federal law to insure prosecution and punishment of lynchers and to provide reparations to the families of mob victims is just as much needed as our present Federal law against kidnapings.

Lynching victims, for the most part, have been poor people and, in recent years, few of them have been white, but a life is a life, no matter whose it is.

And as long as there are no convictions and municipalities, counties and States are not required to cough up cash to the families of mob victims, it is foolish to say that the present pattern will not necessarily continue.

None of us is safe until all of us are assured of a Federal deterrent to lynching. Congress will do well not to lose sight of this fact.

Note On The Record Of Lynchings For 1949

THE annual report of the Tuskegee Institute department of records and research released last week shows a total of three lynchings for 1949, an increase of one over the preceding year. The fact that there was an increase in this particular type of lawlessness—however slight — suggests very strongly that the need for a Federal anti-lynching law has not diminished during the past twelve months as the States Righters have claimed, but rather increased.

With Congress already back in session and the imminence of an anti-lynching bill being thrown into the legislative hopper as a high point of the civil rights controversy, the report takes on added significance. It is certain to furnish ammunition for advocates of this legislation, and as usual, it is likely to receive favorable House consideration. But whether it can survive an inevitable Senate filibuster is another matter altogether.

The 1949 Tuskegee report lists the states in which the year's lynchings occurred, and the number in each state, as follows: Georgia, two; Mississippi, one. It also records the fact that the 1949 toll boosts the five-year total to 13, and that two men jailed in connection with one of the Georgia mob murders were later freed for lack of evidence.

Commendably the report also notes that in at least 14 instances lynchings were prevented, four in the North, and ten in the South. Significantly, in thirteen of these cases officers of the law were responsible for forestalling mob murder. Of the intended victims according to the Tuskegee report, six were white persons, and 11 were Negroes.

It is likewise noteworthy that the report also calls attention to other killings outside the law which, except for the criteria adopted by the Tuskegee department of records and research, might easily appear to fall in the category of lynchings.

These include slayings reported as being committed by less than three persons; killings by specially deputized posses which are sometimes made up of irresponsible persons bent not on upholding the law, but on vengeance; prisoners meeting violent

Since 1920 when the National Association for the Advancement of Colored People first urged enactment of a Federal anti-lynching law. In view of all these facts there can be no doubt but that the pressing need for the power of Federal inspection such legislation has been used as a political football. Both Republicans and Democrats have been so greatly to curb this peculiarly

Tuskegee 'Lynching' Report Challenged

Hodding Carter in The Delta Democrat-Times

IF LYNCHINGS are to be defined according to Tuskegee Institute's listings of the incidence of this hideous crime for 1949, then there were more lynchings in Harlem than in the entire South and very probably more lynchings of white people by Negroes than of Negroes by white mobs.

I don't like to say this, but it needs saying. The fine Negro school's annual report on lynchings appears more political than factual this year, and it should be examined.

The institute described three lynchings for 1949, "one more than the number two for 1948, two more than the number one for 1947, and three less than the number six for 1946." Actually, unless lynchings are redefined to include all murders committed by three or more people, it is grossly misleading to cite two of the three listed killings as lynchings.

Let's look at them. Two were reported from Georgia and one from Mississippi. One of the Georgia murders was certainly a lynching. A 28-year-old Negro was removed from a jail and beaten and shot to death. In the other murder, a Negro landowner was found dead with a number of bullet holes in his body, after an argument with a group of white men who were fishing in his pond. In the Mississippi murder, a Negro farmer was beaten to death by three white men who accused him of "hogging the road."

OUTRAGEOUS murders that demanded punishment, yes. Lynchings, no; not by any fair definition of the crime which the South has all but eradicated, but useful as ammunition in the effort to have a federal antilynching law enacted. A lynching has historically been distinguished from other murders by groups of men in that the perpetrators deliberately planned to murder in order to punish a real or fancied offender or to terrify a part of the citizenry. The crime is deliberate, premeditated and vengeful in nature.

If three drunken motorists who beat an innocent Mississippi Negro to death constitute a lynch mob, so do any three hopped-up muggers in Harlem who murder an innocent pedestrian. If the Federal Government should intervene in the Mississippi murder it should likewise intervene in any murder in which three or more killers take the life of a victim of their own or a different race.

More crimes of violence are committed by Negroes against whites in the North and the South than by whites against Negroes in the North or the South. The reason is economic and social rather than racial; but the figures still stand, so why not turn over to Uncle Sam all murder prosecutions except those in which only one or two wrongdoers are involved?

MOREOVER, the Tuskegee report said that only in the one of the two Georgia incidents was any attempt made to punish the offenders. As a matter of record, the three Mississippians are out under bond awaiting trial; and moreover, the feeling against them in the county was so intense that the defense attorney found it expedient to ask for a change of venue, which was granted.

I would vote to convict a white slayer of a Negro as readily as I would vote to convict a Negro slayer of a white man. I would vote to convict the members of a lynch mob as readily as I would vote to convict any other murderers. But it is morally wrong to muddy the waters by listing any murder of a Negro by three white men in the South as a lynching, and not likewise list any murder of a white man or Negro by three Negroes in Harlem, or by any three persons anywhere.

More is at stake here than the passage of a federal law aimed at an indefensible and declining crime. The rights and responsibilities of states and communities as to the protection of their citizens are in precarious balance. The underlying causes for Harlem muggings and Mississippi murders are alike being lost sight of in a punitive and political assault upon a vital concept of constitutional democracy.

Official Courage Lightens The Lynching Record

As long as a single mob murder anywhere in the land goes unpunished by State and local authorities, there will be agitation for a Federal anti-lynching law. Logically, advocates of such legislation point to the Central Government's implied authority—not to say moral obligation—under the 14th Amendment to intervene whenever a citizen is denied trial by jury. Thus lynch murder is an outrage against not only civil rights, but against justice itself.

To be sure, the record expertly kept by Tuskegee Institute shows that the States—but notably local police and sheriffs' offices—are getting the mob under better control than formerly. For 1949 the Institute reports three lynchings. All three victims were Southern Negroes. Georgia was charged with two, Mississippi with one, such crimes. Both States long have been strongholds of "Judge Lynch."

Properly, the Tuskegee report emphasizes the 16 instances in which peace officers' integrity, courage and resourcefulness in the face of mob threats prevented lynchings. Oddly, New York led in such incidents, with four white men and one Negro rescued from mobs on three occasions. Eight Southern States, including Georgia, are credited with averting one or two lynchings each.

Sheriff W. V. McNeil's handling of the mob that had shot up Negro residential sections in Groveland, Lake County (Florida) last July was outstanding. By "fast talking" the Sheriff convinced mob leaders that their intended victims (two Negroes charged with rape) were not in the county jail, and persuaded them to let the law take its course.

The 1949 lynch-murder record compares with two in 1948 and but one in 1947. That three-year showing stands in contrast to 20 lynchings in 1935, 15 in 1934 and 115 in 1900. Georgia, the worst spot on the map, has suffered 26 mob murders since 1930, including the Walton County outrage in 1945, when three persons were shot down for knowing the mob-leaders. Though several have been tried, not one mob participant has been convicted.

Even so, the comparative figures bear out the theory that vigorous prosecution of lynchers—that former Governor Ellis Arnall began—has proved a deterrent to mob crimes.

LYNCHING IN 1949

Three lynchings were recorded during 1949 by President F. D. Patterson of Tuskegee Institute, and it is dismayingly clear that interracial tensions and hostilities in the small Southern communities in which they occurred were responsible factors. All three of the victims were Negroes. Only one of the three had been charged with an offense. At Irwinton, Ga., a 28-year-old Negro man was arrested for "creating a disturbance," and was said to have resisted arrest. He was later taken from the jail in which he was lodged and beaten to death.

The other two lynchings were casual, wanton murders that could have occurred only in a poisoned atmosphere. A 45-year-old Negro tenant farmer of near Houston, Miss., was reported to have "hogged the road" and to have been slow in moving his wagon over so that a group of white men in an automobile could pass. The men in the automobile stopped and took time out for murder. The farmer was beaten to death.

A prosperous Negro tenant farmer who lived near Bainbridge, Ga., objected to white men fishing in his pond without permission. One day he had an argument with some white trespassers. Later, he was found with a number of bullet holes in his body.

No one was punished for these crimes. Two men were arrested in one case but were later freed for "lack of evidence." It is none the less encouraging to note that in at least fourteen cases in 1949 lyinchings were prevented. One victim escaped from a mob. In the thirteen other cases, officers of the law gave protection.

The lynching record is still an American disgrace. In the five-year period from 1945-49, inclusive, there were thirteen lynchings. In 1947 there was only one and there was the prospect of a year of grace ahead. But there were two lynchings in 1948. The lynching scourge nevertheless long ago began to subside with the retreat of illiteracy. But it has taken more than public schools and libraries to create a social abhorrence of the crime. The press, the church, political leaders, writers and dramatists have all enlisted in the crusade against it. The day may not be far distant when it will become a vanished nightmare. It will not arrive until the climate of tolerance is everywhere substituted for one of violence in which murder finds a motive only in blind racial prejudice.

"Lynch: To judge and punish without the usual forms of law"—Webster.

Tuskegee Institute's record for fairness and objectivity in reporting lynchings is a boon to the South and to all who have the interests of both races here at heart.

Giving the famous Institute cordial credit for it, Editor Brainard Cooper wonders in The Chattanooga News-Free Press about two of the three reported lynchings last year.

GRAVES

The case of Caleb Hill Jr., charged with creating a disturbance and resisting arrest, taken from a jail by a Georgia mob and beaten and shot to death, was lynching "of the most atrocious, cowardly kind," Editor Cooper agrees.

But he wonders about the Mississippi Negro beaten to death by a group of white men when he "hogged the road" and wouldn't move over, and the Georgia Negro shot to death by a group of white men with whom he had argued because they were fishing in his pond.

Editor Cooper thinks the right names for these crimes may have been, not "lynching," but "murder."

Lynching as he points out, "generally has been understood to mean the killing of persons, suspected of crimes by mobs which take the law into their own hands, and not ordinary killings in arguments over such things as hogging the road and unauthorized fishing."

* * *

Whether Tuskegee officials will consider this point or not, it should help them resist Northern Negro leaders who have it that every killing of a Negro is a lynching and who accuse Tuskegee of failing to list as lynchings many crimes which should be included.

ONE IN MISSISSIPPI, TWO IN GEORGIA RECORD IN 1949

THREE PERSONS LYNCHED IN 1949

According to records compiled in the Department of Records and Research of Tuskegee Institute, it is found that 3 persons were lynched during the year. This is 1 more than the number, 2, for 1948; 2 more than the number 1 for 1947; 3 less than the number 6 for 1946; and 2 more than the number 1 for 1945. Thus, for the 5-year period, 1945-1949 inclusive, 13 lynchings have been recorded.

Of the victims, Caleb Hill, Jr., 28-year-old Negro chalk mine worker of Irwinton, Wilkinson County, Georgia, charged with creating a disturbance and resisting arrest. Lodged in jail, he was removed by a group of men, beaten and shot to death.

The second victim was Malcolm Wright, 45-year-old Negro tenant farmer of Near Houston, Chickasaw County, Mississippi, who is reported to have "hogged the road" and not moving his wagon over fast enough to permit a group of white men riding in a motor car, to pass. He was beaten to death.

The third victim was Hollis Riles, 53-year-old prosperous Negro landowner of Near Bainbridge, Decatur County, Georgia, found dead with a number of bullet holes in his body after an argument with a group of white men who had been fishing in his pond without permission. It was reported that sometime previously Riles' home had been riddled with buckshots fired from an automobile.

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Punishment Of Lynchers

Two men were jailed in connection with the lynching of Caleb Hill, Jr. Were later freed for lack of sufficient evidence to bring them to trial.

There is no record of any punishment meted out to the others.

Lynchings Prevented

In at least 14 instances, lynchings were prevented—4 in the North and 10 in the South. One person escaped from a group of men bent on lynching him by jumping into a river; in the 13 other instances, officers of the law gave protection. A total of at least 17 persons were thus saved from mob violence. Of these 6 were white persons and 11 were Negroes.

Although there are three clear-cut cases of lynching reported for 1949, according to criteria now used, attention should be called to other killings which according to all intent and purpose would seem to fall into this category. These include murders reported as being committed by less than three persons; killings by specially deputized posses, who in some instances appear to be composed of irresponsible persons bent on not upholding legal institutions but on vengeance; prisoners meeting violent death in jails after confinement; and other cases of police brutality.

Lynching Showed Increase During '49 Says Tuskegee

TUSKEGEE INSTITUTE, Ala. —Tuskegee Institute's Department of Records and Research this week released its annual report on lynchings in the United States, showing three lynchings in 1949, one more than for the preceding year, and boosting the five-year total to 13.

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The states in which the lynchings occurred and the number in each state are as follows: Georgia, 2; Mississippi 1.

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Hill was lynched after a group of men snatched him from jail, beat him, and shot him to death.

Wright was attacked by a group of white men because he "hogged the road" with his wagon. They were riding in an automobile. They grabbed him and beat him to death because he did not move over to the side fast enough to let them pass.

In the third case Riles, a prosperous landowner, was found riddled with bullet holes after an argument with some white men who were tresspassing on his property to go fishing.

In 1948 there were two lynchings and one in 1947. Dr. F. D. Patterson, president of Tuskegee, in this report warned, however, that this index was not as accurate as it might be.

List Three Lynchings During '49

Tuskegee Institute Issues Annual Report

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At least 14 lynchings were prevented, according to Tuskegee's report, as follows: four in the North and 10 in the South. In each case an intended victim saved himself by leaping into a river; in the other cases law officers saved the intended victims. In these 17 cases six persons were white, and 11 Negroes.

Hill was lynched after a group of men snatched him from jail, beat him, and shot him to death.

Wright was attacked by a group of white men because he "hogged the road" with his wagon. They were riding in an automobile. They grabbed him and beat him to death because he did not move over to the side fast enough to let them pass.

In the third case Riles, a prosperous landowner, was found riddled with bullet holes after an argument with some white men who were trespassing on his property to go fishing.

In 1948 there were two lynchings and one in 1947, Dr. F. D. Patterson, president of Tuskegee, in this report warned, however, that this index was not as accurate as it might be.

Tuskegee Reports on '49 Lynchings

TUSKEGEE — According to records compiled in the Department of Records and Research at Tuskegee Institute, three persons were lynched during the year.

This is one more than the number, two for 1948; two more than the number, one for 1947; three less than the number, six for 1946; and two more than the number one for 1945.

Thus, for the five-year-period, 1945-1949 inclusive, 13 lynchings have been recorded.

One of the victims was Calif Caleb Hill Jr., 28, a chalk mine worker of Irwinton, Wilkinson County, Ga., who had been charged with creating a disturbance and resisting arrest.

Lodged in jail, he was removed by a group of men, beaten and shot to death.

'Road-Hog' Beaten to Death

The second victim was Malcolm Wright, 45, tenant farmer of near Houston, Chickasaw County, Miss., who is reported to have "hogged the road" and not moved his wagon over fast enough to permit a group of white men, riding in a motor car, to pass. He was beaten to death.

The third victim was Hollis Riles, 53, prosperous landowner of near Bainbridge, Decatur County, Ga., who was found dead with a number of bullet holes in his body after an argument with a group of white men, who had been fishing in his pond without permission.

It was reported that sometime previously Riles's home had been riddled with buckshot fired from an automobile.

And No One Pays

Two men were jailed in connection with the lynching of Hill, but were later freed for lack of sufficient evidence to bring them to trial. No action was taken in the other two cases.

In at least 14 instances, lynchings were prevented—four in the North and 10 in the South. One person escaped from a group of men bent on lynching him by jumping into a river; in the 13 other instances, officers of the law gave protection.

A total of at least 17 persons were thus saved from mob violence. Of these, 6 were white persons and 11 were colored.

Just Not Called Lynchings

Although there were only three clear-out cases of lynching reported for 1949 according to criteria now used, attention should be called to other killing which according to all intent and purpose would seem to fall into this category.

(EDITOR'S NOTE: In addition to the three cases reported by the Tuskegee research department, AFRO records reveal that two other persons, possibly four, were lynched during the year.

The fourth victim was Sam Terry who was lynched in a jail in Grantville, Ga., in March. The fifth, Ernest Thomas, who met his death in the Groveland, Fla., swamps in July.

The other two borderline cases involve two men who were beaten and thrown into a river in Macon, Ga. in April. These figures bring the AFRO total to seven, five to say the least.)

3 Lynchings

Hill, Riles, Wright Were Mob Victims

TUSKEGEE, Ala.—Three persons were lynched in the South during the year, 1949.

This is according to records compiled in the department of records and research at Tuskegee Institute. The victims were:

Caleb Hill, Jr., 28-year-old Negro chalk mine worker of Irwinton, Wilkinson County, Ga. He was removed by a group of men from jail, beaten and shot to death. Hill was charged with creating a disturbance and resisting arrest.

Malcolm Wright, 45, Negro tenant farmer of near Houston, Chickasaw County, Miss. He was beaten to death by a group of white men because he did not move his wagon fast enough so that they could pass in their car.

No One Punished

Hollis Riles, 53, prosperous Negro landowner of near Bainbridge, Decatur County, Ga. His bullet-riddled body was found after an argument with a group of white men who had been fishing in his pond without permission.

No one was punished for the crimes.

In at least 14 instances, lynchings were prevented—four in the North and 10 in the South. The law gave protection in 13 of the instances.

Other Killings

Although there are three clear-cut cases of lynching reported, attention should be called to other killings, which, according to all intent and purpose, would seem to fall into this category, said F. D. Patterson, president of Tuskegee.

These include murders reported as being committed by less than three persons; killings by specially deputized posses, who in some instances, appeared to be composed of irresponsible persons bent not on upholding legal institutions, but on vengeance; prisoners meeting violent death in jails after confinement, and other cases of police brutality, Dr. Patterson related.

For a five-year period, 1945-1949 inclusive, 13 lynchings were recorded. Two were in 1948, one in 1947, six in 1946, and one in 1945.

8007

Police Halt 16 Lynchings; 3 Die in South During '49

TUSKEGEE, Ala.— (AP) —Three Southern Negroes were killed by lynching this year, but 16 other persons in the nation escaped mob deaths as a result of police action, Tuskegee Institute reported yesterday.

Two of the actual lynchings were in Georgia, one in Mississippi. Georgia was the scene of the two Negro lynchings recorded by the Negro college in 1948, too. One victim was a Negro, the other a white man.

Seventeen other persons, including the crazed mass killer, Howard Unruh, were marked for mob murder this year, the report said, but law enforcement officers saved them and one Negro got away by jumping in a river.

Ten of the incidents Tuskegee President F. D. Patterson called attempted lynchings were in Southern States, four in the North.

Unruh, who shot 13 persons to death and wounded three others at Camden, N. J., on Sept. 6, was listed as an intended lynch victim, Dr. Patterson said, because an angry, threatening crowd surged toward him after his capture but failed to break through a police line. Unruh was later judged insane.

Mob violence was averted at Winston-Salem, N. C., too, the Tuskegee report said, when police rescued a white cafe owner, O. L. Werst, from a mob of 500 Negroes. Werst was charged with shooting one of a group of Negroes who mistook his place for a dance hall.

New York with three lynching attempts — involving four white men and a Negro—had more than any other State, the report continued. Georgia and North Carolina had two apiece and Alabama, Florida, Louisiana, Mississippi, New Jersey, South Carolina and Tennessee one each.

First lynching of the year, according to the Tuskegee records, was in Wilkinson County, Ga., where Caleb Hill, Jr., Negro chalk mine worker, was taken from jail at Irwinton and beaten and shot to death on May 29. He had been charged with creating a disturbance and resisting arrest.

Two white men, Dennis Lamar [...] and Malcolm Vivian Pierce, 27, electrician, were jailed on suspicion of murder, but an all-white Grand Jury held there wasn't enough evidence to bring them to trial.

The second victim was Malcolm Wright, 45-year-old Negro tenant farmer who lived near Houston, Miss., and who was found beaten to death July 2. The Tuskegee report said he was reported to have "hogged the road" and didn't move over fast enough to let a group of white men pass in an automobile.

A prosperous Negro landowner, Hollis Riles, 53, was the third man to meet death at the hands of a mob, Tuskegee said. His bullet-riddled body was found Sept. 2 after he had argued with a group of white men who were fishing in his pond near Bainbridge, Ga., without his permission. The Tuskegee report said Riles' home reportedly had been fired on before that.

Although it listed only three "clear-cut" lynchings for 1949, the Negro college said "attention should be called to other killings which according to all intent and purpose would seem to fall in this category."

New York State Tops Nation In 1949 Lynching Attempts

TUSKEGEE, ALA., Dec. 30—(AP)—Three persons, all Negroes, forfeited their lives to the angry passions of lynch mobs in the United States this year, Tuskegee Institute said Friday.

Two were in Georgia, one in Mississippi. Georgia was the scene of the two lynchings recorded by the Negro college in 1948, too. One victim was a Negro, the other a white man.

Seventeen other persons, including the crazed mass killer Howard Unruh, were marked for mob murder this year, the report said, but law enforcement officers saved 16 of them and one Negro got away by jumping in a river.

Ten of the incidents Tuskegee President F. D. Patterson called attempted lynchings were in Southern States, four in the North.

Unruh, who shot 13 persons to death and wounded three others at Camden, N. J., on Sept. 6, was listed as an intended lynch victim, Dr. Patterson said, because an angry, threatening crowd surged toward him after his capture but failed to break through a police line. Unruh was later judged insane.

Lynching Averted

Mob violence was averted at Winston-Salem, N. C., too, the Tuskegee report said, when police rescued a white cafe owner, O. L. Werst, from a mob of 500 Negroes. Werst was charged with shooting one of a group of Negroes who mistook his place for a dance hall.

New York with three lynching attempts—involving four white men and a Negro—had more than any other state, the report continued. Georgia and North Carolina had two apiece and Alabama, Florida, Louisiana, Mississippi, New Jersey, South Carolina, and Tennessee one each.

First lynching of the year, according to the Tuskegee records, was in Wilkinson County, Georgia, where Caleb Hill, Jr., Negro chalk mine worker, was taken from jail at Irwinton and beaten and shot to death on May 29. He had been charged with creating a disturbance and resisting arrest.

Two white men, Dennis Lamar Purvis, [...]-old cafe operator, and Malcolm Vivian Pierce, 27, an electrician, were jailed on suspicion of murder, but all-white grand jury held there wasn't enough evidence to bring them to trial.

Mississippi Victim

The second victim was Malcolm Wright, 43-year-old Negro tenant farmer who lived near Houston, Miss., and who was found beaten to death, July 2. The Tuskegee report said he was reported to have "hogged the road" and didn't move over fast enough to let a group of white men pass in an automobile.

A prosperous Negro landowner, Hollis Riles, 53, was the third man to meet death at the hands of a mob, Tuskegee said. His bullet-riddled body was found Sept. 2, after he had argued with a group of white men who were fishing in his pond near Bainbridge, Ga., without his permission. The Tuskegee report said Riles' home reportedly had been fired on before that.

Border Line

Although it listed only three "clear-cut" lynchings for 1949, the Negro college said "attention should be called to other killings which according to all intent and purpose would seem to fall in this category."

It mentioned:

Some murders committed by one or two persons. Tuskegee never recognizes a death as a lynching unless three or more slayers are involved.

Killings by specially deputized posses, "who in some instances appear to be composed of irresponsible persons bent not on upholding legal institutions but upon vengeance."

Prsoners who meet violent death in jail and "other cases of police brutality."

No specific incidents were pointed out.

Totals 4,722

Today's report brought to 4,722 the number of deaths classified as mob killings since Tuskegee started keeping statistics in 1882. And it preserved the record of at least one lynching every year since that time, ranging from 231 in 1892 to one each in 1945 and 1947.

Besides the Howard Unruh incident and the one at Winston-Salem, Tuskegee included these versions of what it called attempted lynchings:

New York City—Three white men rescued by police from punching and kicking crowd after being accused of tearing the clothes of two nuns. (No names given).

New York City—White motorists who ran over boy beaten and kicked by crowd of 200 persons before police saved him. (No names).

Pine Island, N. Y.—Junior Boddiest, Negro, charged with stealing $509 in scuffle with 60-year-old white woman taxi driver. Removed by state troopers when threatened by crowd of about 20 men.

LaFayette, Ala.—Joe Nathan McCoy, Negro, charged with killing white court bailiff, Howard Groover, removed from jail to Kilby Prison at Montgomery, while Deputy Sheriff Doyle Mitchem "out-talked" crowd of several hundred persons.

Three Lynchings Too Many

Dr. Frederick D. Patterson, President of Tuskegee Institute, through the school's department of Records and Research, announced this week three lynchings for the past year. "This is one more than the number two for 1948; two more than the number one for 1947 and 1946, and two more than the number one for 1945," states Dr. Patterson.

Georgia, according to the figures, contributed two of these lynchings, while Mississippi contributed the other. Thus, for the five-year period from 1945 to 1949, 13 lynchings have been recorded.

Technically speaking, there should be other lynchings than the ones listed by Tuskegee. No mention is made of a 70-year-old man and two others, who were slain in a Macon, Georgia swamp last Spring. Again, no mention is made of a Negro tenant farmer in Mississippi only six weeks ago, who was reported shot to death outside of his home by law enforcement officials, who claimed he was apparently dissatisfied with the share he had received from his year's farming.

The record on its face, may indicate a slight decline in lynchings in the South. But as Walter White has said on many occasions, lynchings are really not declining as such, they are going underground in the form of official slayings by law enforcement officers taking place in jails and otherwise in the hands of the law.

And thus, so long as there is a single lynching in the South all America stands to lose in prestige and influence. Repeatedly, the South has received a blackeye from northern jurists and governors who have refused extradition of escaped Negro prisoners because of such sordid stories as the Mallard murder trial, the Rome floggings and hundreds of other stories, which fail to command so much as a trial in many communities. The South needs to improve in its treatment and conduct toward the Negro, and if America hopes to reclaim its influence abroad, it too, must offer greater citizenship protection to Negroes by passing the Civil Rights program endorsed by both the Democratic and Republican Parties.

Tuskegee Records Show 3 Persons Lynched in 1949

Tuskegee Institute, Ala.—According to records compiled in the department of records and research, Tuskegee Institute, three persons were lynched during the year of 1949. The total is one more than the number two for 1948; two more than the number one for 1947; three less than the number six for 1946; and two more than the number one for 1945. For the five-year period, 1945-49, 13 lynchings have been recorded.

One of the victims was Caleb Hill, Jr., 28-year-old Negro chalk mine worker of Irwinton, Wilkinson County, Georgia, charged with creating a disturbance and resisting arrest. Lodged in jail, he was removed by a group of men, beaten and shot to death.

1-5-50

Beaten

The second victim was Malcolm Wright, 45-year-old Negro tenant farmer of near Houston, Chicasaw County, Miss., who is reported to have 'hogged the road' and of not moving his wagon over fast enough to permit a group of white men, riding in a motor car, to pass. He was beaten to death.

The third victim was Hollis Riles, 53-year-old prosperous Negro landowner of near Bainbridge, Decatur County, Ga., found dead with a number of bullet holes in his body after an argument with a group of white men, who had been fishing in his pond without permission. It was reported that sometime previously Riles' home had been riddled with buckshots fired from an automobile.

The states in which lynchings occurred and the number in each state are: Georgia, 2; Mississippi, 1.

The two men jailed in connection with the lynching of Caleb Hill, Jr. were later freed for lack of sufficient evidence to bring them to trial.

Lynchings Prevented

In at least 14 instances, lynchings were prevented—four in the North and 10 in the South. One person escaped from a group of men bent on lynching him by jumping into a river; in the 13 other instances, officers of the law gave protection. A total of at least 17 persons were thus saved from mob violence. Of these, six were white persons and 11 were Negroes, President F. D. Patterson, informed.

Three Lynched During Year 17 Others Saved From Mobs

TUSKEGEE, Ala., Dec. 30 (AP).—Three persons, all Negroes, forfeited their lives to lynch mobs in the United States this year, Tuskegee Institute said today.

Two were in Georgia, one in Mississippi. Georgia was the scene of the two lynchings recorded in 1948, too.

Seventeen other persons, including the crazed mass killer of Camden, N. J., Howard Unruh, were marked for mob murder this year, the report said, but law enforcement officers saved 16 of them and one got away by jumping in a river.

FOUR CASES IN NORTH

Ten of the incidents which Tuskegee's president, F. D. Patterson, called attempted lynchings were in Southern states—four in the North.

Unruh, who shot 13 persons to death and wounded three others on Sept. 6, was listed as an intended lynch victim, Dr. Patterson said, because an angry, threatening crowd surged toward him after his capture but failed to break through a police line. Unruh later was judged insane.

VICTIM TAKEN FROM CELL

First lynching of the year, according to the Tuskegee records, was in Wilkinson county, Ga., where Caleb Hill, Jr., Negro chalk mine worker was taken from jail at Irwinton and beaten and shot to death on May 29.

The second victim was Malcolm Wright, 45-year-old Negro tenant farmer who lived near Houston, Miss. He was found beaten to death July 2.

A prosperous Negro landowner, Hollis Riles, 53, was the third man to meet death at the hands of a mob, Tuskegee said. His bullet-riddled body was found Sept. 2 after he had argued with a group of white men who were fishing in his pond near Bainbridge, Ga., without his permission.

"A straight line is the shortest distance between two points."
—Euclid.

THINKING OUT LOUD

By LYNN LANDRUM

Dallas, Texas

Lynching

Tuskegee Institute says there were three lynchings in 1949. It finds that fourteen lynchings were prevented, four in the South and ten in the North. Examination of the facts alleged in the three lynching cases, however, indicates that only one was actually a lynching.

Hollis Riles, 53, landowner of Bainbridge, Ga., had an argument with a group of white men who were trespassing on his fishing pond. Later he was found dead.

Malcolm Wright, 45, tenant farmer of Houston, Miss., was killed by a group of white men who accused him, it is said, of hogging the road with his wagon, which he did not move over immediately for the passage of the assailants' car.

Caleb Hill, 28, chalk miner of Irwinton, Ga., was arrested on the charges of disturbing the peace and resisting arrest. Later he was taken out of jail by a group of men and beaten and shot to death.

★

Murder

It seems clear that murder was done in all three cases. But if every murder of one man by a group of other men were a lynching, the record for the year would be far greater in number than three. A lynching is punishment by mob violence directed against a defendant charged with an offense or held under arrest by officers of the law.

The essential element of a lynching which distinguished it from other murders and other mob violence is that it is an attempt to usurp the penal powers of the law by the use of mob action against an individual.

The particular evil of lynching over other crimes of violence is that it includes either the failure of government to protect the defendant involved or else the downright acquiescence or even participation of police authorities.

The point is that it is hurtful to confuse the nature of the crime of lynching so as to obscure the responsibility of the community as a whole for violence done to one who ought to be in the particular charge of the police officers of that community.

★

Improving

1-3-50

It may be said that the lot of the southern Negro is improving. His chances of escaping murder at the hands of a mob are improving, although his chances of suffering murder at the hands of one of his own race may not be improving.

To show the improvement with regard to mob action in general and in regard to lynch action in particular, it is necessary to make comparisons with the records of a number of years ago. That comparison will show that we are making progress.

To explain the fact that murderers among Negroes are so rarely executed where the victim is also a Negro, we have to consider that prosecution in such cases is rarely vigorous, and all-Negro juries to impose the penalty in such a case are rarely chosen.

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Justice

In Dallas County, Negro attorneys now practice before all courts and the better grade of Negro attorneys are respected by the better grade of white attorneys. Conditions in the courthouse are more favorable to justice for all, irrespective of color than they were twenty years ago.

It is still true that too many offenders of all sorts and of all origins escape the punishment they deserve under the law. But the margin of discrimination against the black man is narrowing. The change for the better is so marked as to be within the observation of almost any of us.

There is room for further betterment, however. Every decent man is bound to feel that in the courthouse every man is as much entitled to the protection of the law as any other man is. If any Negro friend of yours cares to speak frankly to you, he will tell you that most Negroes walk in fear of violence from some white man.

In general, the humbler type of colored folk fear to complain to the police or to be seen talking to the police. Experience has led them to believe that trouble comes of informing upon the criminal, whether he be white or black.

It should be the particular concern of all white men that every black man gets genuine justice. The Negro can not be expected to become a first-class citizen until he has the protection from the law which the law owes to all citizens. Justice only to some is not justice.

Year's Lynching Record

According to the records compiled in the Department of Records and Research of Tuskegee Institute, I find that two persons were lynched during the year 1948. This is one more than the number for 1947; four less than the number for 1946; one more than the number for 1945; and equivalent to the number for 1944.

William H. Turner, alias Wilson Turner, 26-year-old white farm tenant of Meriwether County, Georgia, charged with stealing cattle from his landlord, was placed in jail but released for lack of evidence. Upon leaving the jail, he was chased by a group of white men, led by the owner of the stolen cattle, seized, beaten and his body burned. For this, one person received the death sentence and three life terms.

The other victim was Robert Mallard, 37-year-old Negro of Toombs County, Georgia. There was no charge against him. He had apparently incurred the enmity of white farm neighbors because of his prosperity. Motoring home late at night accompanied by his wife, baby and two of his wife's young relatives, he was waylaid by a group of white men, who blocked the road and shot him to death.

There was one borderline case. Isiah Nixon, 28-year-old Negro, insisted on voting in Georgia's primary election after being advised not to do so. On the evening of the same day two brothers, white, went to Nixon's home and shot him. He died two days later in a hospital.

In at least seven instances, lynchings were prevented by officers of the law. All of these were in the Southern States. A total of nineteen persons, all Negroes, were saved from death at the hands of mobs.

Tuskegee, Ala. F. D. PATTERSON.

No Such Law Needed

Tuskegee Institute's summary of the 1948 American lynching record is, of itself, further convincing evidence that the proposed Federal antilynching statute is unnecessary. The summary is timely because proponents of the measure plan to push it soon after the 81st Congress is organized.

It shows that there were two lynchings in 1948, or one more than during 1947. Both occurred in Georgia. One of the victims was white, the other a negro.

Two lynchings is just that number too many, but even so, the proponents of a Federal antilynching law can gain no comfort or support from such a record. To the contrary, there are some other aspects of the Tuskegee summary which ought to go far toward confounding them and we hope Southern members of the Congress will make proper legislative use of them.

In one of the two 1948 lynching cases recorded, one person was sentenced to death and three others to life imprisonment for their participation in the crime. It didn't take Federal intervention to get that needed result. Georgia law enforcement agencies and courts did it without outside aid.

The other case is still being adjudicated. Identity of the chief mobsters is believed known, important witnesses are being given the right degree of protection, and vigorous prosecution impends.

So much for the punitive side which does, after all, reflect great change in public attitude on that score. The preventive aspects of the antilynching picture are even better. The Tuskegee report shows that there were seven clear-cut instances where lynchings were prevented by courageous law enforcement officers. All occurred in the South, and all the potential victims were negroes. Here again there was no Federal aid and no need for it.

The manner in which the South is coping with mob violence threats and is endeavoring to punish those who participate in its now isolated incidents are, by far, the most encouraging aspects of the whole unsavory business. Proponents of an antilynching statute notwithstanding, it represents the results of a trend which set in long before the bleeding hearts elsewhere grabbed a plank out of the 1928 Communist Party platform and started agitation for an antilynching law.

We recommend a reading of the Tuskegee report to Senator PAT MCCARRAN of Nevada, who will become chairman of the Senate Judiciary Committee next week. He has already served notice to the antilynch law proponents that such a bill will not be rushed to the floor—that it is going to be given "careful consideration" by the committee. He will find support for his position in the statistics of the Tuskegee summary.

The South is determined to erase the crime of lynching, and it can and will do it without Federal interference.

Tuskegee Lists Two '48 Lynchings

TUSKEGEE, Ala. — Tuskegee Institute's department of records and research reports that only two persons, one white and one colored, were lynched in this country during the year of 1948, both in the State of Georgia.

It named these victims as:

ROBERT MALLARD, 37, Toombs County, Ga., and

WILLIAM H. TURNER (alias WILSON TURNER), 26, white, of Meriwether County, Ga.

Had Committed No Offense

Mallard, a successful salesman of undertaker's equipment, was slain on Nov. 20, by a robed and hooded mob, apparently out of enmity of his white neighbors incurred because of his prosperity.

The first person to be jailed for the lynching was his wife, Mrs. Amy Mallard, in an effort by authorities to draw suspicion for committing the crime away from the Ku Klux Klan, whom the wife, a witness, accused of the slaying.

Two Suspects Held

Later, after newspapers throughout the nation played up the flagrant injustice of the action, Mrs. Mallard was released from jail and was allowed to identify mob suspects from several white men who "gave themselves up," as they said, "to clear themselves of suspicion."

The widow identified two of the men as being in the mob that surrounded the car in which she, her husband and two young neighbors were riding and fatally shot the husband through the windshield; and they are being held on charges of murder.

White's Lynchers Punished

Turner, the white lynch victim, had been jailed on a charge of stealing cattle from his landlord and was released for lack of evidence.

Upon leaving the jail, he was chased from Meriwether County into Coweta County by a group of white men, led to the owner of the stolen cattle, seized, beaten and his body burned.

For participating in his lynching, four members of the mob were severely punished. One was sentenced to death and three were given terms of life imprisonment.

Ga. Voter Shot to Death

Tuskegee reports only one borderline (may have been a lynching) case during 1948, which also occurred in Georgia. This was the shotgun slaying of Isaiah Nixon for participating in the Democratic primary election, although advised not to vote.

On the evening of the same day, two white brothers went to Nixon's home and shot him to death when he answered their knock on the door. Both were acquitted in the slaying by a jury of their peers.

The Tuskegee report also points out that at least seven lynchings were prevented by officers of the law. All of these were in southern States. A total of 19 persons, all colored, were thus saved from death at the hands of mobs.

Tuskegee's Yearly Report Says:

Dixie's '48 Lynch Record Total: 2

TUSKEGEE, Ala.—According to the Department of Records and Research of Tuskegee Institute, two persons were lynched during the year. This is one more than the number six for 1946; one more than the number one for 1947; four less than the number one for 1945, and equivalent to the number two for 1944.

One of the victims was William H. Turner (alias Wilson Turner), a 26-year-old white farm tenant of Meriwether County, Ga., charged with stealing cattle from his landlord. He was placed in jail but later released for lack of evidence. Upon leaving the jail, he was chased from Meriwether County into Coweta County by a group of white men, led by the owner of the stolen cattle, seized, beaten and his body burned.

The other victim was Robert Mallard, 37-year-old Negro, of Lyons, Toombs County, Ga. There was no charge against him. His apparent offense was he had incurred the enmity of his white farm neighbors because of his prosperity.

BORDERLINE CASES

There was one borderline case not included in the total number of lynchings for 1948 for the reason that in one respect only it does not conform to criteria used. This victim was Isiah Nixon, 28-year-old Negro, who insisted on voting in Georgia's Primary election after being advised not to do so.

LYNCHINGS PREVENTED

In at least seven instances lynchings were prevented by officers of the law in Southern States. A total of nineteen persons, all Negroes, were saved from death at the hands of mobs.

For participating in the lynching of William T. Turner, one person received the death sentence and three persons were sentenced to life imprisonment, according to Dr. F. D. Patterson, Tuskegee president, who released the statistics.

8013

Tuskegee Eliminates Danville As City Where Lynching Was Stoned

TUSKEGEE, Ala. — (AP) — Mrs. Jessie Guzman, the director of the department of research and records at Tuskegee Institute, issued the following statement this week concerning the Institute's published annual report on lynching for 1948.

"The Department of Records and Research has accepted information furnished by Walter L. Grant, vice president of the Register Publishing company, Inc., which publishes The Danville (Va.) Register by Mrs. R. G. Bousman, and J. M. Cuningham, businessman, Charles David Price for the slaying of Andrew Coleman white of that city as was indicated in a news release on the Tuskegee Institute annual lynch-

ing report. It is, therefore, eliminated as one of the cities in which threat of mob violence occurred.

"The Department of Records and Research based its inclusion of Danville as one of the cities in which police officers prevented a lynching on press releases carried by The Columbia (S. C.) Record and The Atlanta Constitution of August 16 and by The Atlanta Daily World of August 17."

1949 Lynch Survey Shows Mobs Killed 3 Negroes In South

Tuskegee, Ala., Dec. 30 (AP)—Three persons, all Negroes, forfeited their lives to lynch mobs in the United States this year, Tuskegee Institute said today.

Two were in Georgia, one in Mississippi. Georgia was the scene of two lynchings recorded by the famed Negro college in 1948, too. One victim was a Negro, the other a white man.

Seventeen other persons, including the crazed mass killer, Howard Unruh, were marked for mob murder this year, the report said, but law-enforcement officers saved 16 of them and one Negro got away by jumping in a river.

10 Incidents Were In South

Ten of the incidents Tuskegee President F. D. Patterson called attempted lynchings were in Southern states, four in the north.

Unruh, who shot 13 persons to death and wounded three others at Camden, N. J., September 6, was listed as an intended lynch victim, Dr. Patterson said, because an angry, threatening crowd surged toward him after his capture, but failed to break through a police line.

Mob violence was averted at Winston-Salem, N. C., too, the Tuskegee report said, when police rescued a white cafe owner, O. L. Werst, from a mob of 500 Negroes. Werst was charged with shooting one of a group of Negroes who mistook his place for a dance hall.

New York, with three lynching attempts—involving four white men and a Negro—had more than any other state, the report said. Georgia and North Carolina had two apiece, and Alabama, Florida, Louisiana, Mississippi, New Jersey, South Carolina, and Tennessee one each.

3 Lynchings Recorded for Nation in '49

TUSKEGEE, Ala. —(AP)— Three persons, all Negroes, were lynched in the United States this year, the Tuskegee Institute said.

Two died in Georgia, one in Mississippi. Two lynchings were recorded in 1948.

Southerners Lynch Three Negroes In '49, Report Shows

TUSKEGEE, Ala., Dec. 31—Three Southern Negroes were lynched during 1949, Dr. F. D. Patterson president of Tuskegee Institute, reported today.

The institute's annual report on lynchings and violence also called attention to "police brutality."

No lynchings were reported in the Northern states, although four were prevented in the North.

Two of the lynch victims were Georgians. The third was in Mississippi.

The 1949 total was one more than in 1948, two more than in 1947, three less than 1946, and two more than in 1945.

Dr. Patterson pointed out that 13 lynchings were recorded during the five-year period, 1945-1949.

ONE OF THE victims was Caleb Hill, Jr., 28-year-old chalk mine worker of Wilkinson County, Ga. The Tuskegee report said he was charged with creating a disturbance and resisting arrest, and was removed from jail by a group of men and shot to death.

The second victim was Malcolm Wright, 45, of Chickasaw County, Miss. Dr. Patterson said he was reported to have hogged the road and failed to move his wagon over fast enough for a group of white men, riding in a car, to pass. He was beaten to death.

The third victim was Hollis Riles, a prosperous Negro landowner in Decatur County, Ga. He was found dead with a number of bullet holes in his body after an argument with a group of white men who had been fishing in his pond without permission.

Dr. Patterson said two men were jailed for the death of Hill but were freed for lack of evidence.

* * *

HE SAID LYNCHINGS were prevented in at least 14 instances, four in the North and 10 in the South. One person escaped, Dr. Patterson's report continued, by jumping in a river. Officers of the law gave protection in the other 13 instances.

The report said prevention of these attempts saved 17 persons from mob violence. Of these, six were white and the other 11 were Negro.

"Although there are three clear cut cases of lynching reported for 1949, according to criteria now used, attention should be called to other killings which according to all intent and purpose would seem to fall into this category," Patterson added.

"These include murders reported as being committed by less than three persons; killings by specially deputized posses, who in some instances appear to be composed of irresponsible persons bent not on upholding legal institutions but on vengeance; prisoners meeting violent death in jails after confinement; and other cases of police brutality."

Lynchings, 1949

Tuskegee Institute's year-end report on lynchings during 1949 suggests the easy conclusion that this peculiarly odious—and peculiarly American—evil has been pretty well overcome. Three persons lost their lives by mob action in the course of the year. This compares with two during 1948, one during 1947, six during 1946 and one during 1945. Thus, for the five-year period, 1945-49, 13 lynchings have been recorded. By contrasting this with the five-year period, 1900-1904, during which 519 lynchings occurred, the recent record looks very favorable.

Nevertheless there lies behind this record a background in which deprivation of due process and denial of the equal protection of the laws are discernible as still the lot of Negroes in the South. One of the past year's victims was a young Georgia Negro charged with creating a disturbance and resisting arrest; lodged in jail, he was removed by a group of men, beaten and shot to death. The second victim was a Mississippi Negro tenant farmer reported to have "hogged the road" and failed to move his wagon over fast enough to permit a group of white men riding in a motor car to pass; he was beaten to death. The third victim, a Negro landowner in Georgia, was found riddled with bullets after an argument with a group of white men who had been fishing in his pond without permission.

The lynchings were few in number. But no doubt they were powerful in effect. No one can calculate their impact in terms of intimidation and repression of Negroes, or in terms of their corruption of the whites who enjoy the spurious supremacy they help to enforce. There can be no great gratification over the record until the threat of lynchings, as well as lynchings themselves, is wholly extirpated from American life. No lynchers were convicted for participation in the 1949 lynchings.

The record of lynchings avoided by resolute law-enforcement officers is more heartening. In 13 separate situations, 6 white persons and 11 Negroes were saved from mob violence by police who accorded them the protection to which they were entitled under the law. Firm acceptance of responsibility on the part of the police for the protection of prisoners in their custody is, of course, the key to the lynching problem. Too often in these cases the police are actual accomplices of the mob. Respect for the law must begin with them.

3 Lynchings In '49; 2 Occur In Georgia

TUSKEGEE INSTITUTE, Ala.—According to records compiled in the Department of Records and Research, Tuskegee Institute, three persons were lynched during the year. This is one more than the number two for 1948; two more than the number one for 1947; 1946; and two more than the number one for 1945. Thus, for the five-year period, 1945-1949 inclusive, 13 lynchings have been recorded.

One of the victims was Caleb Hill, Jr., 28-year-old Negro chalk mine worker of Irwinton, Wilkinson County, Georgia, charged with creating a disturbance and resisting arrest. Lodged in jail, he was removed by a group of men, beaten and shot to death.

The second victim was Malcolm Wright, 45-year-old Negro tenant farmer of near Houston, Chickasaw County, Mississippi, who is reported to have "hogged the road" and of not moving his wagon over fast enough to permit a group of white men, riding in a motor car, to pass. He was beaten to death.

RILES DEATH LISTED

The third victim was Hollis Riles, 53-year-old prosperous Negro landowner of near Bainbridge, Decatur County, Georgia, found dead with a number of bullet holes in his body after an argument with a group of white men, who had been fishing in his pond without permission. It was reported that sometime previously Riles' home had been riddled with buckshots fired from an automobile.

The states in which the lynchings occurred and the number in each state are as follows: Georgia, 2; Mississippi, 1.

..PUNISHMENT OF LYNCHERS

Two men jailed in connection with the lynching of Caleb Hill, Jr. were later freed for lack of sufficient evidence to bring them to trial.

In at least 14 instances, lynchings were prevented— four in the North and 10 in the South. One person escaped from a group of men bent on lynching him by jumping into a river; in the 13 other instances, officers of the law gave protection. A total of at least 17 persons were thus saved from mob violence. Of these, six were white persons and 11 were Negroes.

Although there are three clear-cut cases of lynching reported for 1949 according to a criteria now used, attention should be called to other killings which according to all intents and purpose would seem to fall into this category. These include murders reported as being committed by less than three persons; killings by specially deputized posses, who in some instances appear to be composed of irresponsible persons bent not on upholding legal institutions but on vengeance; prisoners meeting violent death in jails after confinement; and other cases of police brutality.

THREE LYNCHED BY MOBS IN '49; ALL IN SOUTH

17 Are Saved, Tuskegee Records Show

Tuskegee, Ala., Dec. 30 (AP)—Three persons, all Negroes, were lynched in the United States this year, Tuskegee institute said today.

Two were in Georgia, one in Mississippi. Georgia was the scene of the two lynchings recorded by the Negro college in 1948. One victim was a Negro, the other a white man.

Seventeen other persons, including New Jersey's crazed mass killer, Howard Unruh were marked for mob murder this year, the report said, but police saved 16 of them and one Negro got away by jumping in a river.

Ten of the incidents Tuskegee President F. D. Patterson called attempted lynchings were in southern states, four in the north.

Mass Killer Rescued

Unruh, who shot 13 persons to death and wounded three others at Camden, N. J., on Sept. 6, was listed as an intended lynch victim, Dr. Patterson said, because a threatening crowd surged toward him after his capture but failed to break thru a police line. Unruh was later judged insane.

Mob violence was averted at Winston-Salem, N. J., the Tuskegee report said, when police rescued a white cafe owner, O. L. Werst, from a mob of 500 Negroes. Werst was charged with shooting one of a group of Negroes who mistook his place for a dance hall.

New York, with three lynching attempts — involving four white men and a Negro—had more than any other state, the report continued. Georgia and North Carolina had two each and Alabama, Florida, Louisiana, Mississippi, New Jersey, South Carolina, and Tennessee one each.

First Case in Georgia

First lynching of the year, Tuskegee records showed, was in Wilkinson county, Ga., where Caleb Hill Jr., Negro chalk mine worker, was taken from jail at Irwinton and beaten and shot to death on May 29. He had been charged with creating a disturbance and resisting arrest.

Two white men, Dennis Lamar Purvis, 37, a cafe operator, and Malcolm Vivian Pierce, 27, an electrician, were jailed on suspicion of murder, but an all-white grand jury held there wasn't enough evidence to bring them to trial.

The second victim was Malcolm Wright, 45, Negro tenant farmer who lived near Houston, Miss., who was found beaten to death July 2. The Tuskegee report said he was reported to have "hogged the road" and didn't move over fast enough to let a group of white men pass in an automobile.

4,722 Listed Since 1882

A prosperous Negro landowner, Hollis Riles, 53, was the third man to meet death at the hands of a mob, Tuskegee said. His bullet riddled body was found Sept. 2 after he had argued with a group of white men who were fishing in his pond near Bainbridge, Ga., without his permission. The Tuskegee report said Riles' home reportedly had been fired on before that.

Today's report brought to 4,722 the number of deaths classified as mob killings since Tuskegee started keeping statistics in 1882. Since that time, lynchings have ranged from 231 in 1892 to one each in 1945 and 1947.

Of the 61 year total, 3,429 victims were Negroes, 1,293 were white.

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27j 1949

8019

WESTBROOK PEGLER

Side lights

It Depends on Who's Lynching Whom

Atlanta Constitution

Lest law-abiding citizens, particularly Catholics, be deceived concerning the character of Philip Murray, the President of the CIO, and seduced into a soft-peace with the American equivalent of Hitler's Brown Shirts, I submit the following information:

Murray wears a pious face. Certain clergy, particularly in Pittsburgh where he makes his home, have helped to foist him on Catholic workers as an "approved" labor leader. Murray had the effrontery to broadcast [illegible] statement during the debate on the Taft-Hartley bill that the Catholic Church opposed it. The church had taken no position at all on this bill and it never has taken a position.

In the convention of the CIO last Autumn, Murray, at long last, discovered that the Communists were inimical to the United States and received undeserved acclaim as a defender of all religion against the atheistic force of the Kremlin. For some undetermined time before that, apparently for about 18 months, religious influence had been operating on several union bosses within the CIO who apparently had been Catholics but, for years, had been co-operating with the Communists and promoting the Communist program in the United States.

Last Dec. 1 a gang of between 200 and 300 goons attacked the plant of the Shakespeare Products Company, of Kalamazoo, which had had a contract with Local 3619, of the United Steel Workers of America.

Murray is National President of the Steel Workers and, incidentally, was President of the Steel Workers' organizing committee during its riotous insurrections in 1937. That was the fateful period when Frank Murphy, another Catholic of pious or, at least pietistical pretentions, failed to do his sworn duty as Governor of Michigan and, by his his default, did more than any other delinquent public official except Roosevelt himself to bring law and government into contempt. Ever since then Murphy has kept an artificial and unconvincing pose of a great "liberal" in an attempt to disguise the truth that he flinched for lack of the courage to enforce the law, though it might be necessary to kill or wound criminals.

Although Murray had already signified his belated, personal holy war on the Communists, the officers of Local 3619 refused to sign non-Communists affidavits in compliance with the Taft-Hartley law. The company, therefore, was legally forbidden to negotiate with them. The local struck on Sept. 8, 1948.

The following are selected excerpts from an official report to the House of Representatives by Rep. Clare Hoffman, of Michigan, who was appointed by Rep. Fred A. Hartley, the Chairman of the House Committee on Education and Labor and co-author of the Taft-Hartley law, to investigate rioting, vandalism and lynching:

"Just before dawn on Dec. 1 a mob of unidentified persons wearing CIO badges drove out-of-town cars in front of the buildings and completely blocked the street and entrance to the plant. The invasion was conducted by approximately 200 to 300 strangers to the workers and the police. Part of the goon squad rushed into the factory and attacked the men and women working there. Another group invaded the parking lot, turned over cars, set fire ot a truck belonging to an employee and defied a policeman who approached. This goon squad, augmented by over 100 striking employees, attacked other employees as they approached the plant to go to work. Rocks and bricks were thrown through windows and at the cars of employees coming to work. When the firemen arrived to put out the burning truck the mob defied them to turn on the water. When the police wrecking car attempted to clear the street the mob attacked the wrecking car and started to turn it over. The police driver fled.

"Workers were slugged and kicked. Women were chased. One ruffian seized a woman by the hair and slapped her. Police did not act because they were so greatly outnumbered. The Sheriff was "boxed in" by the mob. The Chief of Police sent all available officers, but they were so few that, viewing the strength of the mob, they did not deem it wise to attempt to make arrests.

"In answer to calls, the Governor (Republican Kim Sigler) sent troops and left instructions that the State laws were to be enforced. Thereafter there was no violence."

Mr. Hoffman reported to Congress that three of Philip Murray's direct subordinates in the Steel Workers, men designated "international representatives," appeared to have formulated the "methods to be used by the pickets. They vanished when subpoenas were issued for the congressional hearings.

The unioneers charged the company with importing strikebreakers. No testimony was given to that effect and Mr. Hoffman reported that the real reason for the lynching by Philip Murray's union was that 535 out of 778 employees were back at their own jobs the day before the riot.

"It may be inferred," he reported, "that the raid was planned by the local and carried out with the assistance of the union, whose representatives drove into the city that morning.

"The testimony was to the effect that the goons acted with military precision. About one-third of them were Negroes. On each occasion, where a beating took place, the goons acted together, three or more taking part in the slapping and beating of the woman. At least five took part in beating one of the shop workers."

One witness said: "Josephine Drucker, who had been assaulted and was bleeding came out the door and hollered: 'I am going to faint.' Her head was cut open. I had to grab her to keep her head from hitting the cement floor."

Edwin Starrett, Jr., assistant foreman, testified that he heard girls' screams and saw two girls running toward him, and right behind them three men.

The girls turned off and the three men, two white goons and a Negro, got him down and threw punches "from all over." Starrett broke away and was cornered by 15 more goons and knocked down and kicked in the head.

Philip Murray refused to obey a subpoena to testify. Mr. Hoffman officially noted the absence of any expression of disapproval of this lynching by the saintly leader of the CIO.

brutal and did not hesitate to use Communist enemies of the United States in this criminal service.

Hiram Wesley Evans never had a hundredth of the power that John L. Lewis has wielded both as President of the CIO and President of the United Mine Workers. He never had a hundredth of the power that passed from Lewis to the pious, eye-rolling Murray when Lewis quit the CIO and Murray took his place. The Klan never inflicted an appreciable fraction of the material damage, and the damage wrought to the precious institution of government and order was trifling by comparison, too.

The Klan never had the open indorsement of the national administration, whereas the CIO has actually been the political privilege and subsidiary of the Democratic Party and the Roosevelt and Truman administrations. In fact, it was Sidney Hillman, [illegible] alien political genius of the CIO, [illegible] the nod to Sen. Harry S. Truman [illegible]

WESTBROOK PEGLER

Which Is Worse—CIO or the Klan?

In any discussion of the facts of [illegible] and organized terror, it is best to ignore President Truman and the professional unioneers, because he and they are actually defenders of lynching and organized terror as political weapons of the party in power. The unioneers not only defend these atrocities, but regard them and practice them as just prerogatives of their lawless movement. Truman so regards them, too, as Roosevelt did before him.

For proof of this attitude toward lynching and the intimidation of the people, consult the anti-lynching bills and observe that lynching done by private, terroristic societies known as labor unions would be exempt practices whereas the same conduct on the part of groups lacking the special lynching-license of a union charter would be criminal. This is a specific, pointed exemption which proves that these hypocrites do not abhor lynching, as such, but indorse it, as such. They abhor only [illegible] licensed or nonunion lynchings.

I say we had better ignore Truman and his brutalitarian following of picket-line thugs and nocturnal visitants because all the discussion to date has shown that they refuse to discuss the guilt of their side and will meet facts with nothing but abuse. You cannot [illegible] with such opponents.

While the President is trying, and thus far with no symptom of success, to put this thing through a Congress run by his own party, the Department of Justice is making sporadic feints at enforcement of an old law forbidding groups of persons to go masked on the highways after sundown. This was adopted in exasperation and haste as a threat against the original South Ku Klux Klan.

While it is true that the goons of the CIO never have worn actual masks on their lynching forays against women employees of Northern factories, it is also a fact that they have shielded themselves with anonymity no less impenetrable than the Klansman's hood. These professional rioters draw their shock-troops from

[illegible] stories of the [illegible] spread by writers who know that [illegible] powerful and [illegible] terror of the Klan in those days, spread by writers, politicians and [illegible] who [illegible] the CIO was incomparably more powerful and

...where he is today.

No, as a lynching and terroristic organization the modern Klan was a pygmy to the [illegible]

I find that I am so crowded with this subject that I will be unable to put it all into the compass of today's pastoral. Therefore, I will take another bite of the tomato tomorrow. Meanwhile, to students in the propaganda course called "social science" I would suggest that they take this to class and challenge any instructor to refute any part of it. To all others who have the time and interests, I would suggest a little research in the newspaper files of 1936 and 1937, preferably the files of the larger metropolitan papers, which were able to give more space to the lynchings that were the only means by which the CIO could capture its original nucleus of faceless men.

'Official' Lynch Figures Hit By Texan

MARSHALL, Texas — The research division of the New York NAACP was charged last week with employing "outmoded methods" in the compilation of statistics on lynching. Tuskegee's reports on lynching was criticized also.

The charge was made in a letter to the New York NAACP office by Dr. Joseph J. Rhoads, president of the Texas Council of Negro Organizations.

Declared Dr. Rhoads: "The problem of collecting such facts was relatively simple when lynching was a public exhibition covered by prominently headlined front-page news stories. But, the modern mob accomplishes its purpose in great secrecy." This is done, he pointed out, in deference to the constant threat of federal interference.

Dr. Rhoads insists that "the increasingly unreliability of the methods employed by the NAACP research division and Tuskegee Institute, within recent years, accounts, in the main, for the fact that figures on lynching have become negligible."

All Lynchings Not Reported, Educator Says

MARSHALL, Texas—(ANP)—Dr. Joseph J. Rhoads, president of the Texas Council of colored organizations, charged the research division of the NAACP with employing "outmoded methods" in the compilation of statistics on lynching.

"The program of collecting such facts was relatively simple when lynching was a public exhibition covered by prominently headlined front-page news stories," Dr. Rhoads pointed out in a letter to the organization. "How the modern mob accomplishes its purpose in great secrecy, in deference to the constant threat of Federal interference."

Figures Negligible Now

Dr. Rhoads insists that "the increasingly unreliability of the methods employed by the research divisions of the NAACP and Tuskegee Institute" within recent years, "accounts, in the main, for the fact that figures on lynchings have become negligible."

Either they should improve their fact-finding techniques or "discontinue the publication of statistics that support the contention that antilynching legislation is unnecessary," the Texas educator declared.

Man Lynched Self, Coroner's Jury Rules

CHICAGO, Ill. — Files of the Daily Defender Journal revealed that a coroner's jury at Scranton, Miss., in passing on the death of a Negro at the hands of a lynch mob declared that the deceased came to his death by climbing a tree, venturing too far out on a limb, falling, and thereby breaking his neck."

Walker Jury Fails To Uncover Floggings

JASPER, ALA., Sept. 16—(AP)—The Walker County grand jury today returned 34 indictments but none were in connection with masked floggings.

Circuit Solicitor Stith Hunter said the jury questioned nine or 10 witnesses in its investigation of mob violence here in recent months.

All of the witnesses, the solicitor said, told the jury they were unable to identify the masked riders.

At least 10 persons had reported they were flogged or threatened by white-robed mobs.

Solicitor Hunter said none of the true bills was for capital crimes.

Sharecropper Eludes Posse

ORANGEBURG, S. C., Sept. 10—(U.P.)—A middle-aged Negro sharecropper today eluded an armed posse of 200 civilians and policemen who had been on his trail two days and a night for the shooting of his white employer and two officers.

Most of the volunteers, wet, hungry and tattered after tramping through a creek-bottom swamp where the Negro was believed to have been trapped, went home. Police began tracking down clues as to his whereabouts and fanned out their search to cover most of Orangeburg County.

The 50-year-old Negro, Willie Faust, was accused of slightly wounding his white employer, Dairyman W. Barney Dempsey, with a birdshot blast from a shotgun early Friday. Dempsey allegedly struck the Negro with a board during an argument.

POSSE KILLS NEGRO, FLORIDA FUGITIVE

He Was Hunted in Groveland Rape Case — Alabama Will Reopen Terror Inquiry

PERRY, Fla., July 26 (AP)—Ernest Thomas, identified as the fourth Negro in the recent Groveland rape case, was shot and killed by a posse north of this community today.

The Sheriff of Taylor County, Bill Towles, said that the fugitive was definitely identified as one of four Negroes who violated a 17-year-old housewife on July 16 after beating and robbing her husband. The man, he said, who had been trailed by a large group of officers since Sunday night, was shot when he broke into a run after being found asleep in a dense wooded area.

The attack on the woman in Groveland resulted in a reign of white mob terrorism in the small Lake County community for several days. Governor Fuller Warren was forced to call out men of the NNational Guard to preserve order.

The three other Negroes accused of the crime are in custody and have been indicted by a special Lake County grand jury. They are being held in a jail, the whereabouts of which have not been made known.

Klan Kidnap Raid Reported

DONALSONVILLE, Ga., July 26 (AP)—Mayor C. L. Drake of Iron City, a South Georgia country town said today that on Sunday, July 17, he had beaten off with gunfire a mob of Ku Klux Klansmen who tried to kidnap him.

"Seven or eight automobiles loaded with uniformed and masked klansmen" had approached his house about 3 A. M., the mayor said.

"I opened fire on them and they scattered in a hurry. When they shot back they were too far away to do any harm."

Iron City with a population of about 300 persons is in extreme southwest part of Georgia, fifteen miles from the Alabama line and about thirty-five miles from Florida.

In Atlanta, today, Dr. Samuel Green, Grand Dragon, said his Association of Georgia Klans did not operate at all in the South Georgia area. He added that he believed a Klan organization, with headquarters at Columbus, Ga., was responsible.

The sheriff of Seminole County, C. L. Chandler, said the mayor of Iron City, himself, had not reported the attack. Instead, a relative had given the version.

"It's a pretty ugly thing here," the sheriff commented. "I don't like it and the better class of people don't like it. It started off pretty bad, but has cooled down. I think we have things under control."

Sheriff Chandler added that no warrants had been sworn out nor had any arrests been made.

Mayor Drake said there had been persistent efforts to intimidate him. He attributed the situation partly to local and state politics.

Terror Inquiry to Resume

BIRMINGHAM, Ala., July 26 (UP)—Circuit Judge George Lewis Bailes today called a special session of the Grand Jury for 9 A. M. on Thursday to continue investigating masked gang terrorism cases in the Birmingham area. Solicitor Emmett Perry requested that the panel be convened.

He announced that the Klan's chief in Alabama, William Hugh Morris, would be subpenaed again and ordered to furnish the records of the organization to the grand jury. The solicitor also said that the panel would continue its investigation into the Klan as a corporation. The inquiry was started in a special session last Friday.

Mr. Morris was released from jail last Saturday on a bond in which he promised to turn over the records to the grand jury. However, he is expected to tell the jurors on Thursday that the records were stolen and are not available.

In that case, Mr. Perry is expected to ask Judge Bailes to jail the Klan leader against until he complies with the grand jury order.

While he was in custody, his home was burglarized Mr. Morris said, and the Klan documents were taken. He was jailed by Circuit Judge Robert J. Wheeler on July 7 for contempt of court when he refused to submit the Klan's membership list to a grand jury.

Lynched, Notwithstanding

We have to record the death of Ernest Thomas, Negro, [illegible] rape-suspect, who was killed by a posse near Perry, Florida, [illegible] Tuesday, as another lynching to be added to the 1949 roll [illegible] Numerous other slayings and killings should be so recorded [illegible] but none of these is as clearcut and undeniable as that of [illegible] Caleb Hill in Georgia and now that of Ernest Thomas in [illegible] Florida.

Except for the fact that criminal indifference seems to [illegible] have been the greatest single contributing factor in Hill's [illegible] lynching, the death of Thomas Tuesday was in some respects worse than Hill's because for more than a week local police in and around Tavares and its environs, together with detachments of National Guardsmen, policed the area and were thoroughly alerted to the mob spirit. More than 400 Negroes were evacuated from their homes to areas of safety. Members of the mob shot into Negro business places when they were repulsed from the court house by the sheriff. And

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Alabama

8015

Posse Fails To Find Negro Hunted In Slaying Of Bailiff

LANETT, Ala., Oct. 9—No trace had been found by a posse late Saturday of a Negro sought for slaying a justice of the peace's bailiff earlier in the day.

Lt. Jack Rearden, of the Lanett Police Department, said Bailiff Harold Groover, 25, was shot while trying to place Joe Nathan McCoy under arrest. The slaying occurred a mile from Lanett on the LaFayette Highway.

A posse assisted by a pack of bloodhounds from Kilby Prison in Montgomery has been searching for the Negro man since noon Saturday. The dogs had not picked up the trail late Saturday afternoon.

According to Lt. Rearden, witnesses to the shooting, all Negroes, gave the following account of the affair:

* * *

GROOVER WAS AT A Negro house to dispossess some furniture, when McCoy walked up and interfered, abusing the bailiff. The officer followed McCoy into another Negro house to place him under arrest. When Groover stepped inside the house and told McCoy to consider himself under arrest, the Negro shot the officer with a pistol and fled.

Lt. Groover says he notified J. M. Abney, sheriff of Chambers County, who brought his officers to assist in the search. Some 25 local citizens were deputized to help surround the area in which McCoy is thought to be hiding.

Bailiff Groover, who was a clothing salesman, is survived by his wife and two children.

8016

HUNT FOR SLAYER IN MEMPHIS, TENN.

Wanted for Killing Woman, Shooting Cops

(The Associated Press)

Luxora, Ark., Dec. 10 — The search for a Negro man accused of killing a town marshal's wife and shooting two officers shifted Saturday from the countryside along the Mississippi river to Memphis, Tenn., 60 miles away.

Mississippi county Sheriff William Berryman said Memphis officers had been alerted to pick up Eddie Hall. Another Negro man, he added, told of taking Hall, a woman and a boy to Memphis after the shooting last night.

A posse with bloodhounds sought along the river levees throughout Friday night and early Saturday. In Memphis, police said they had no clues.

The manhunt started soon after Mrs. Joe McDaniel, 37, was shot to death beside a cotton field. She was driving her husband, his assistant and three Negroes to the jail at nearby Osceola.

She gasped out to her husband, "Oh Joe, I'm gone," then slumped against his shoulder, dead. A split second later, McDaniel and Ralph Williamson were shot. Two of the Negroes left.

As the posse took up the hunt, Deputy Marshal Horace Lindsey said he feared a lynching because "everybody around here is roused up." Deputy Sheriff Forbes said "some of them want to lynch him but I don't think they would—a lot of law-abiding people live around here."

In a Memphis hospital, where the two men were taken, Williamson said the shooting was done by a man known only as "Shorty." Berryman did not difinitely identify Hall as "Shorty."

Forbes gave this acccount of the shootings:

McDaniel received a call from a Negro nicknamed "Son," who said "Shorty" had threatened him at the Negro night spot, an old, unpainted barn.

Mrs. McDaniel, a taxi cab firm operator, took the two marshals to the scene in a cab. "Shorty," "Son," and the wife of "Shorty" were put in the car and they all started to the jail with the Negroes in the back seat and the others in front.

Lynching Feared Impending In Arkansas Town

LUXORA, Ark. — (AP) — Lynching in this community was feared imminent at the weekend as a posse of 200 men pressed a tense search for a man accused of killing a white woman and seriously wounding two officers.

"Everybody around here is roused up about this shooting," declared Deputy Sheriff Horace Lindsay. The man for whom the search centers around the Mississippi River levees here is identified only as "Shorty."

"Of course, if the laws get him first, he'll wind up in jail," the Sheriff said. "Otherwise, well—"

The fugitive is said to have shot and killed Mrs. Joe McDaniels, wife of the city marshal. Her husband was reported shot in the shoulder and arm and Night Marshal Ralph Williamson was shot in the neck. Both were reported not sericusly injured.

The officers said "Shorty" started shooting after being arrested for causing a disturbance.

27j 1949 Florida

Bodilee - Posse.

8017

POSSE-KILLING IN
FLORIDA HAS EARMARKS
OF LYNCHING.

by International
News Service

Tallahassee, Fla.-Florida Patrol Officials have identified the man killed by a posse near Perry, Fla., as Earnest Thomas.
Sheriff W.V.McCall of lake County tild patrol headquarters in Tallahassee Tuesday night that Thomas was identified as one of the four Negroes who criminally assaulted a young white woman at Groveland July 16.
The attack touch off a series of terrorist raids and Florida national guardsmen were called into the area to restore order. During the violence several Negro homes were burned.
The sheriff said, Thomas was sought following the apprehension of the other three persons allegedly involved in the robbery of the woman's husband and the attack on her.
A grand jury indicted the three suspects soon after the crime was committed. However, the jury adjourned wothout action against participants in the terrorist raids.

Journal and guide
Norfolk, Va.
Sat. August 6, 1949

23

27j 1949

Florida

8818

MAN WOUNDED IN HUGE POSSE SEARCH

Atlanta, Ga. Daily Journal

24

BARTOW, Fla. —(INS)— An ex-convict accused of shooting a Lakeland policeman in the face was critically wounded and captured Wednesday night by members of a huge posse that has been combing Central Florida for three days.

Jesse Donaldson, 38, was traced to a wooded section near Lake Alfred and was shot as he tried to escape two possemen who went after him.

He was taken to a Bartow Hospital.

Donaldson was wanted for firing a shotgun blast into the face of Lakeland City Patrolman Robert Powell Sunday when Powell was investigating a disturbance in the city's Negro section.

Donaldson quickly fled the scene of the shooting in a stolen automobile and a widespread search for him was begun.

Bloodhounds and airplanes were used in the hunt for the man, who had served a state prison term for robbery.

The posse got on his trail after a man answering the hunted person's description was reported seen in the Lake Alfred area.

EARMARKS OF LYNCHING:

Well-to-Do Fisherman Slain Near Own Pond

BAINBRIDGE, Ga. — The body of 53-year-old Hollis Riles, well-to-do 200-acre farm owner, lay in the morgue of a local undertaker Sunday, as sheriff's investigators and FBI agents launched a probe into his slaying that had all the earmarks of a lynching.

Riles was shot by five white men whom he had ordered off his fish pond, according to reports to Decatur County Sheriff A. E. White.

His body was found Friday night propped up against a tree where he had staggered after being hit with 13 buckshot. The murder took place in the extreme northeast of Decatur County, about 14 miles from Bainbridge.

Calls It Premeditated Murder

Sheriff White expressed belief it was a case of premeditated murder, since he was still investigating an incident of last May.

At that time, Riles's house was riddled with bullets fired from an unidentified automobile after he had attempted to keep several white men from fishing in his pond.

A coroner's jury, which conducted an inquest by flashlight Friday night, found that Riles came to his death from wounds "inflicted by unknown parties."

Jess Gordon, 52, who accompanied Riles to his pond, which is known as a fishing paradise, was a witness to the shooting.

Felt Life in Danger

He told Sheriff White that he and the farm owner went to the pond Friday afternoon. Gordon planned to fish. Riles carried his shotgun, having feared for some months his life was in danger.

They found two white men lounging under a tree, their guns beside them. At the pond they found two other white men, one of whom had a string of fish.

Riles told the white men the pond was posted and they must either get off or pay for the privilege of fishing. One of the men gave the fish to Gordon after commenting they did not know the pond was posted and promised to leave at once.

Shortly afterwards, Gordon said he heard shots and stood up to see four or five men shooting at Riles as he ran across a clearing. The farmer did not return their fire, Gordon said. Two more shots were heard about five minutes after the first shots, Gordon said.

License Plates Covered

The witness said he watched two cars drive away. The license plate of one of the vehicles was covered, according to Gordon. He said he did not know the men and felt sure they were not from that section of Decatur County.

After running a half mile to Riles's house, Gordon returned later to the scene with Sheriff White and Mrs. Riles. They found the farmer in a sitting position against a tree. Estimates were he had been dead more than an hour.

Sheriff White found three shotgun shells, wadding, and a tree that had been pierced by a rifle bullet. Riles's gun was not found.

A county roads scraper had erased all tire tracks leading to the murder scene between the time the killers drove away and Sheriff White reached the scene. The Sheriff asked FBI agents to aid in the murder probe.

White Faces Negro Mob

WINSTON-SALEM, N. C. —The cry of "hang him," was in the exact reverse of Dixie custom here last week when 500 irate Negroes threatened to hang a white man for shooting a young colored woman.

The fireworks started when 15 Negroes walked into the home of O. L. Werst, cafe operator, thinking the place a part of an adjoining dance hall.

Werst ordered the group out then fired a shotgun into the crowd, striking Miss Hattie Cook.

Within a few minutes approximately 500 Negroes had gathered in front of the building. When police arrived and arrested Werst, the mob receded allowing the law to take its course.

27j 1949

Georgia

Borderline - Posse

8021

Negro Slayer Killed By Posse

JESUP, Ga., Oct. 10—(AP)—A Negro was shot to death Saturday night in a running gun battle with officers after he shot and wounded a Negro and killed a white man.

A posse had been searching for the Negro, Bishop Sam Johnson, since Saturday afternoon after the wounding of Fred Vail, a Negro, near Screven, 12 miles from here.

Homer McBee, 37, telephone operator of Screven—not a member of the posse—was shot and killed as he approached the Negro about 10 p.m. Saturday.

Sheriff George D. O'Quinn said McBee and Leslie Kelley had been fishing from a bridge when they saw the Negro. Kelley said he and McBee knew officers were looking for the Negro and started following him. The Negro began shooting as soon as he saw them, Kelley said.

O'QUINN AND CAPT. C. C. Underwood, of the Waycross State Highway Patrol Station, gave this account:

Johnson, intinerant preacher, fortune teller and herb doctor, engaged in a dispute with Vail at a turpentine still. Vail was shot in the arm.

When a Jesup policeman arrived, several Negro workers pointed to Johnson as the assailant. Johnson pulled a revolver, threatened to kill the officer and fled.

Bloodhounds located the Negro but he started shooting at his pursuers. Additional officers, including five cars of highway patrolmen, were summoned Saturday night.

Kelley came into town and notified officers of the shooting of McBee. The posse found Johnson crouched in a field of high grass, about 75 feet from McBee's body.

Several members of the posse fired as the Negro, gun in hand, was spotted by a flashlight, as he crouched in a field.

Even some members of the posse admitted afterwards that he could have been easily captured, but in addition to shooting another Negro, Johnson had killed a white man.

State police said that the preacher engaged in an argument with Fred Vail at a turpentine still near Screven and shot Vail during an argument.

He fled when Jesup police attempted to arrest him, but was seen by Homer McBee, white telephone operator, and Leslie Kelley, who were fishing from a bridge. Kelley said that Johnson opened fire when he and McBee advanced toward him.

The posse, after firing by flashlight which partially spotted Johnson, found his body near that of the slain telephone man.

Lynch Guns Get Preacher In Georgia

JESUP, Ga.—Lynch guns of an angry posse, directed by flashlight, snuffed out the life of Bishop Sam Johnson, a preacher and herb doctor,

27j 1949

Kentucky

Border Incidents - Posses

8022

Accused Rapist Slain by Farmer

Courier-Journal

Man, Identified as The Assaulter Of Girl, 12, Shot Near Monticello

By The Associated Press.

Monticello, Ky., Oct. 30.—A young man hunted by more than 200 possemen in connection with the raping of a 12-year-old white girl was shot to death by a farmer near here today.

Bryan Keeton said he came upon 21-year-old Sam Sloan, Jr., Negro, in an unused house on the farm of his brother, Guy Keeton.

He said Sloan reached for his gun when he asked him to surrender. Keeton said he then shot Sloan six times with a German pistol.

Found Tracks In Mud

The girl was raped when she and three companions, two boys and another girl, were stopped on their way home from church Friday night. Wayne County Attorney W. C. Dabney said all four identified the assailant as Sloan.

Posses were organized soon after the report reached Monticello.

Keeton said he suspected Sloan was in the cabin when he found tracks in the mud. Sloan was sleeping when he arrived, he said.

The girl and her companions told authorities the man made the boys get out of their automobile and then assaulted one girl while the other sat in the automobile.

Sheriff Joe Burnett led the posse which combed an area in the neighborhood of Steubenville, four miles north of Monticello.

Suspect Shot By Posse Member

MONTICELLO, Ky.—(SNS)—An alleged member of a 200-man posse seeking a Negro suspect in connection with the criminal assault of a 12-year-old white girl, shot and killed the suspect after discovering him sleeping in an unused farm building, police reported yesterday.

Bryan Keeton reported to Sheriff Joe Burnett that he shot the suspect after he asked the lad to surrender. The farmer said the man made a move toward his gun and he shot him.

27j 1949

Kentucky

8023

Attack Suspect Shot to Death

free press
mon. 10/30-49

MONTICELLO, Ky. — (AP) — A young Negro man hunted by more than 200 possemen in connection with the raping of a 12-year-old white girl was shot to death by a farmer near here today.

Bryan Keeton said he came upon the Negro, 21-year-old Sam Sloan, Jr., in an unused house on the farm of his brother, Guy Keeton.

He said he asked Sloan to surrender and the Negro reached for his gun. Keeton said he then shot Sloan six times with a pistol.

8024

Sharecropper Shot To Death By Mississippi Posse Sunday

State And County Officials Reported In Posse Makeup

BELZONI, Miss., Dec. 6—(Special)—The Sharecropper System as practiced in the cotton growing section of the Mississippi Delta was brought into evil light again near here Sunday afternoon, when James Patterson, 35 year old Negro sharecropper was shot to death by a posse after the owner of the plantation on which he worked reported that he believed him to be dissatisfied with the settlement made for this years crop.

Patterson the father of four children is reported to have told friends before leaving town for his home Saturday that he had produced 10 bales of cotton this year but got only a Ten Dollar settlement.

According to reports the Negro sharecropper was shot to death in the loft of his farm home, 15 miles southwest of Belzoni, after a two hour vigil by a posse which riddled his body with shotgun, rifle, and pistol fire as he was being stalled from a nearby Barrow Pit, by a friend of the sheriff armed with a .381 rifle.

The posse is reported to have formed after the wounding of Deputy Sheriff Ike Shelton.

According to reports Deputy Sheriff Shelton was wounded when he went to Patterson's home to talk with him on the request of W. J. Jordan, owner of the plantation on which Patterson made this years crop. The plantation owner and Patterson had settled for his crop Saturday but believed that Patterson was dissatisfied with the settlement.

The deputy sheriff is said to have stated that he approached Patterson's house and asked where he was. Replying that she did not know the door was locked behind her as she came out. After trying the door and finding it locked the deputy sheriff, according to reports said that he was wounded in the shoulder and upper arm by a blast from Patterson's shotgun as he walked around the house.

After being wounded he returned to Belzoni in his car leaving a friend who went with him to the house in a Barrow Pit across the road armed with a .381 rifle.

The posse included both Humphreys County officers and state Highway Patrolmen.

Meanwhile from well informed sources in Jackson this week there was reports that deterimned effort will be made to have the slaying investigated by the United States Department of Justice and the Federal Bureau of Investigation.

8025

Youth, 19, Says Mob Tried to 'Kick My Brains Out'

By JOE MAXWELL

CHARLOTTE, N.C. — "They tried to kick my brains out."

This statement featured the police court testimony of John A. Leake, 19, one of four youths, two of them high school pupils, brutally attacked here last week by a mob of white hoodlums.

The other victims were Harold Miller, 22; Wilbert Robinson, 19; and Dan Caldwell, 22.

Soldier Fined $10

Only one of eight suspects arrested and tried in police court, a soldier, pleaded guilty. He was fined $10 and costs.

Leake was not permitted to point out in court other members of the mob which attacked him and his companions. The magistrate said he was only interested in the suspect brought before him.

The magistrate refused to look when Leake tried to show him the remnants of his $69 watch—the strap and watch shell—smashed while he was being kicked by the hoodlums.

Victims Without Counsel

The four young victims were not represented in court by counsel.

When they reported the attack to J. E. Grisby, principal of the school in the Second Ward, he immediately sent them to J. S. Bowser, attorney, for consultation.

However, Mr. Bowser informed them that there was nothing he could do since the case had been tried already and is a matter of record.

A group of citizens are seeking ways to re-open the case, the AFRO was informed.

How Attack Started

The youths were returning from Hickory, N.C., where they attended a football game between Ridgeview and Second Ward High School of Charlotte.

They were in a private car sandwiched between the bus with the football players and the band bus when someone flagged the first bus to a halt.

Fearing someone was hurt and needed help (private buses do not stop unless there is an emergency), the white driver pulled his bus to a stop only to find that the mob was intolerant and looking for trouble.

Bus Driver Speaks Up

Some of the white men tried to force their way into the bus but left when the driver spoke up concerning the safety of his passengers.

They then left and nearly mobbed the occupants of the private car.

They kicked out all the windows, save one, and beat the driver, Harold Miller, so badly that he was unable to start when they broke rank a minute for reenforcement.

Coach Forced to Flee

Miller's coat was torn half-in half and the blows rained down on his head left many knots there.

Coach Kenny Powell of the Second Ward (Charlotte) team went to see what he could do but the white hoodlums came in such numbers and determination that he fled to the bus.

It was then that the mob hit the boys with everything they had and were circling the private car as in the days when the Red Indians attacked the covered wagons.

Neither of the group was armed. It was a case of "beat them with your fists and kick their brains out," as the mob said it.

Occupants in Buses Cowed

The occupants in the two buses could do nothing to aid their comrades without injuring themselves, so the drivers pulled from the scene.

The bus behind the private car in pulling off scared the mob off long enough for the driver of the car to regain his momentum and pull away from the hoodlums.

But their troubles had just begun. The victims said three carloads of white men pursued and caught them at the Southern Railroad Station here when a train blocked Trade St., on one of the main thoroughfares.

Spectators Afraid to Help

Hundreds of people saw the assault but no one wanted to get involved, the AFRO was told.

A colored man on a Duke Power Company bus wanted to go to Leake's aid but was not allowed to get off by the driver.

The three boys who escaped from the mob got in touch with city police who came to the scene immediately and chased the three cars, catching one.

Cornered in RR Station

Two of the cars sandwiched them and the third pulled up in front.

All of the boys got away except Leake who ran into the white part of the station but to no avail.

The mob pulled him out and all of them kicked him in the stomach, head, and everywhere else repeatedly.

Victim Falls in Street

Almost dead of pain, fear and exhaustion, Leake struggled to his feet and ran out to Trade St. and there fell in the middle of the street with the crowd following him.

A Red Top cab divided the mob by cutting between them and the fallen Leake.

Klan Renewal Recalled

Frank Littlejohn, local chief of police, took into custody several weeks ago a group of young white boys who attempted to light a cross on the lawn of a white man.

Charlotte, Concord and Gastonia have been in the news recently concerning Ku Klux Klan activities.

The local police chief at that time warned that, "If the Klan is on the move in Charlotte it would do well to keep on moving."

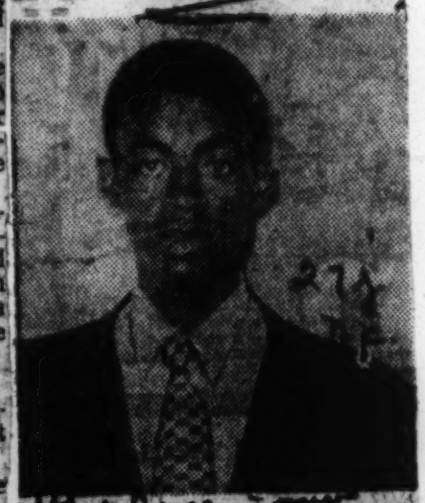
He said this city is a place where "all work and live together in harmony, and I intend for it to stay that way."

Governor Backs Scott

Governor Kerr Scott supported Mr. Littlejohn's statement.

There is no indication that the Klan spurred the attack, or that the soldier who admitted his part in orgy is a Klansman.

Beaten



John Albert Leake, 19, a high school student, who was beaten up by a gang of white hoodlums in Charlotte, N.C. last week. Dolled up for the AFRO, he said "they tried to kick by brains out."

27 j 1949

South Carolina

8026

Negro Relates Masked Flogging And Shooting

COLUMBIA, S. C. —(INS)—A 30-year old Negro farmer related Thursday in Columbia hospital how a band of masked white men shot and beat him and his brother and terrorized his family.

The Negro, Elliott Bates, has gunshot wounds in the thumb and thigh and blackjack wounds on the head.

Bates said his brother Harry was treated for a pellet wound in the shoulder and for severe flogging injuries.

The Negro told newsmen how he and his family were routed out of bed at midnight by cries of "We've come to give you your civil rights."

Bates said he denied any knowledge of civil rights to the five or six masked men who then beat him and shot him.

He then ran into the woods and made his way to a neighbors house. He was brought to the hospital because he was bleeding so badly.

Bates said his wife, six children and his brother were at home at the time of the incident.

He told newsmen of other similar incidents in which Negroes were beaten and threatened by masked mobs and neighbors agreed with the accounts.

Meanwhile, Calhoun County Sheriff E. D. Whetstone said he did not know the details of the case. Officials in Gov. Strom Thurmond's office said all possible aid is being given the sheriff by the State law enforcement division.

S. C. Negro Says Whites Beat Him Three Weeks Ago

COLUMBIA, S. C. — (AP) — Persistent rumors that a Negro gas station attendant had been abducted from his job and brutally beaten by four white men three weeks ago was confirmed here by the victim, Booker T. Dickerson, 40, his employer, and a police official.

Dickerson still displays a scar on his head where a West Columbia doctor sewed four stitches to close a wound after he had been blackjacked by the abductors.

According to Dickerson, on the fatal night he was waiting for a bus after closing the station when four white men drove up, threw him in the rear of the car, and blackjacked him. When he regained consciousness, he said, they took him out of the car and proceeded to beat him some more.

After being abandoned on the road, he said, he walked about a mile to a house from which he telephoned his employer, Joe Snell. Snell was accompanied by Constable Leroy Bundrick of West Columbia.

Dickerson has lived in Columbia and worked at the same job for 20 years.

No one has been able to determine the cause of his beating, although a white woman was mentioned. Investigation revealed that the woman allegedly involved knew nothing about the Negro.

The victim said he could not identify his assailants.

Shot by Mob, S. C. Negro Tells Police

COLUMBIA, S. C.—(AP)—A young Negro, father of six children, claimed yesterday a masked mob shot and beat him and his brother last Monday night. His family, he said, was terrorized.

The half dozen night riders told him, he added, that they came to his house to give him and his brother their "civil rights."

Elliot Bates, 30, talked to a Columbia Record reporter from his bed in a Columbia Hospital. He has gunshot wounds in the hand and thigh and an abrasion on the head.

The brother, Harry Bates, was not hospitalized and was believed to have been treated at home for his injuries.

Bates' little home is 14 miles south of here in the Sandy Run section of Calhoun County.:

As he told his story, Lieut. J. D. Watson, of the state constabulary, said an investigation was underway in co-operation with Sheriff E. D. Whetstone. The sheriff said he knew no details. Watson declined to comment on his progress.

Officers Save Youth From Mob

CONWAY, S. C.—A man accused of shooting a white boy was rushed to the Conway jail for safekeeping last week after a mob of 150 whites at Aynor had demanded that officers turn him over to them.

Six armed posse of more than 100 men with bloodhounds conducted a wide spread search for Samuel Green, sought in the shooting of 16-year-old Richard Robert, son of a white family near Aynor.

Green indicated that he shot in self-defense.

27j 1949

Tennessee

8027

Tennessee Policemen Snatch Killer To Avoid Riot Threat

Education Sat. 10-22-49

COLUMBIA, TENN., Oct. 21.—(AP)—A Negro was convicted of murdering a white woman here today and then was quickly removed from this tense town, scene of a race riot in 1946.

To avoid the possibility of mob action against the Negro, Paul Lacy, police planned to remove him from the courthouse by helicopter but rain forced abandonment of the idea.

Within minutes after the 38-year-old man was convicted of killing Mrs. O. B. Brown, 67-year-old widow, he was placed in an automobile and sped to Nashville for safekeeping.

Throughout Lacy's four-day trial, this town has been on edge. State troopers at one point in the trial had to beat off a bystander who lunged at the prisoner as he entered the courtroom Wednesday.

The helicopter rescue idea was hit upon after an anonymous threat to waylay the caravan carrying Lacy to safety, seize and lynch the prisoner. Lacy was sentenced to die Nov. 25.

State Safety Commissioner Sam Neal said he received the threat. He had 48 patrolmen guarding the scene.

Quietly Neal made arrangements for a helicopter to land in a field near Columbia and take off as soon as word was radioed that the trial was over.

The 'copter was to land atop the three-story courthouse and carry the killer away.

Columbia was the scene in February, 1946, of several days of racial violence in which two Negroes were killed and several persons hurt.

27j 1949

Washington

8028

Posse Traps Youth Accused of Murder

WINOA, Wash. —(AP)— A 21-year-old youth charged with murder was captured in a building where he had been cornered by a 75-man posse.

Deputy Sheriff H. C. McCutcheon said the fugitive, Wayne Odell, of Steptoe, Wash., was shot in the arm before he was captured.

ODELL WAS charged with first degree murder in connection with the death of Harold Rogers, a 47-year-old farmer.

Davis said Rogers was killed by a blast from shotgun when he ran to his 18-year-old daughter's bedroom to answer her cries for help. Davis said the girl screamed when she awoke and saw a man standing at the foot of her bed.

The sheriff said Odell and the girl had once "gone together" but had quarreled and broken up. The girl is a student at Washington State College.

27j 1949 Washington

8029

POSSE SEIZES STEPFATHER WHO BEAT CRIPPLED VET.

Montesano,Wash. Aug.24 (UP) The stepfather of a crippled Air Force veteran today admitted torturing and beating the ex.G.I. during a period of 18 months "to make a man out of him."

The veteran is Henry Chum,29, who lost a leg in World War II.

The stepfather,Frank W.Chase,52, was taken at gun point by a posse of American Legionnaires yesterday at the request of Sheriff Mike Kilgore of Grays Harbor County.

Chase was held in Grays County jail on a charge of second degree assault.

Chum was found in his home Monday in near-by Oakville,"a mass of bruises," Kilgore said."The man was thoroughly cowed and shaking so much he couldn't talk."

BODY CARRIES BEATING MARK.

Chase admitted beating Chum with a rope,kicking him and pulling his hair, "but I didn't beat him with a plank or break his ears."

Kilgore said Chum's body showed marks made by some sort of club and the victim's ears were scarred and broken like "cauli flower ears that some boxers have."

When arrested,Chase had $470 in his shoes which he said he got partly from selling Chum's car- a gift from the Government- and from monthly disability pensions.

'I kept the money for safekeeping because the boy has had money stolen from him in the past, Chase told Kilgore.

WOUNDED IN AIR RAID

Chase weighs 170 pounds and his stepson, who said he had not eaten for two weeks,weighed about 125 pounds when neighbors found him.

Chum told his rescurers that his ears had been twisted until they broke and an ear drum had been ruptured by repeated slapping with a piece of rubber.

Chum was wounded March 11,1943, in an air raid on New Guinea. He was struck by shrapnel from a Japanese bomb abd was discharged October 6, 1943. He arrived home to find his mother had died.

Neighbors first became suspicious of Chase several days ago and questioned Chum about the treatment he was receiving. At that time, Chum was noncommital. But Saturday a neighbor reported he heard screams coming from the house.

Arms Found in Home.

Art Schnider, a member of the Oakville William T. Hyder Post of the American Legion, went to the house while Chase was gone and took him to his own home. Chase eluded a deputy sheriff and the Town marshal and the American Legion organized a posse with Kilgore's permission.

Six members of the American Legion Post took Chase into custody at gun point seven miles from Oakville. They found a .45-caliber automatic pistol, a 30-30 rifle and a .22-caliber rifle in Chase's car.

Tear gas bombs were fired into the building after Odell refused to come out. Officers entered the building when there was no reply and took Odell prisoner.

Posse Captures Washington Youth

(The Associated Press)

Winoa, Wash., Dec. 26--A 21-year-old youth charged with murder was captured Monday in a barricaded building where he had been cornered by a 75-man posse.

Deputy sheriff H. C. McCutcheon said the fugitive, Wayne Odell of Steptoe, Wash., was shot in the arm before he was captured.

Odell was charged with first degree murder Saturday in connection with the death of Harold Rogers, a 47-year-old farmer, who was killed with a shotgun.

McCutcheon said Sheriff Clarence Davis reported from the scene of the capture that Odell had been seen in the high school building. Davis' report added:

Odell had changed from his clothes into parts of a football uniform he had apparently found in the school.

Members of the posse shot three times at Odell as he fled from the school to a building containing a general store and the owners living quarters.